Filed in the District Court
Of Travis County, Texas
At 04/07/2025 3:52PM
Velva L. Price, District Clerk

CAUSE NO. ____________

**D-1-GN-25-002397**

**IN THE DISTRICT COURT OF**

**TRAVIS COUNTY, TEXAS**
353RD JUDICIAL DISTRICT

**Cliff Stephens**

PETITIONER

v.

**TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT**

and CASS COUNTY

RESPONDENTS

____ JUDICIAL DISTRICT

# EMERGENCY PETITION FOR WRIT OF MANDAMUS AND REQUEST FOR EXPEDITED RELIEF

*Filed in response to the Cass County Judge's continued non-response to a formally declared civil emergency involving public safety.*

## INTRODUCTION

The Cass County Courthouse has been operating without security, armed or otherwise, in direct violation of state law, specifically Texas Government Code § 29.006 and SB 42. Despite a request from the Cass County Clerk to address this serious issue, Respondents—the Texas Department of Emergency Management (TDEM) and Cass County—have failed to take any action to remedy this breach. As a result, the public and court personnel remain exposed to significant safety risks.

These statutory protections exist to safeguard the public, preserve judicial function, and ensure that government systems respond swiftly in times of crisis. When those systems fail, the consequences are not abstract—they place real people at risk. The failure to act has compelled the Petitioner to seek judicial intervention to restore security at the courthouse and to confront a broader collapse in legal compliance and governmental coordination.

The present correspondence arises from an emergency declaration submitted by the Petitioner on March 6th. That declaration sought permission to install a structural support on a building located on the Linden city square, in order to prevent collapse and the potential ignition of a fire. The support structure, which has since been constructed, sits on property for which the legal ownership remains unknown. Petitioner requested a temporary emergency condemnation decree to secure the site until ownership could be identified. This emergency relief could have been granted by the City Manager but was not. When the matter was escalated and formally filed with Cass County, it was left unanswered and unacknowledged. A formal complaint filed with the Texas Department of Emergency Management (TDEM) likewise remains unanswered. These are the systems that have failed, and it is this breakdown in administrative response that has led directly to the present petition.

Petitioner is an expert in emergency management, with professional experience in both the nuclear sector and airport operations. In seeking emergency relief for the structure on the city square, Petitioner encountered widespread systemic failure across all levels of local and state government. What began as a routine emergency filing revealed deep flaws in Cass County's ability to communicate, respond, and comply with state-mandated procedures. These failures exposed a broader collapse of statutory responsibilities—most visibly in the continued abandonment of the Cass County Courthouse. Petitioner now seeks judicial intervention to compel Respondents to relocate the judge and his facilities back to the courthouse and restore lawful security measures in accordance with state law.

## STATEMENT OF FACTS

### Personal Safety and Unsecured Operations

The judge's relocation was explicitly understood to be temporary, tied to necessary renovations at the Cass County Courthouse. Those renovations are now complete, yet the judge has not returned, nor has he reinstated courthouse operations. In the meantime, the County continues to fund both the fully functional courthouse and the secondary offsite facility, reflecting an ongoing pattern of fiscal negligence and mismanagement of public funds. Most concerning, the judge's refusal to return has left the Cass County Clerk and her staff to operate in an unsecured courthouse, in direct violation of state law and without any protective presence whatsoever.

### Ignored Warnings from the Clerk

The Cass County Clerk has acknowledged the courthouse's lack of security and has requested support to address it. Despite her awareness of the risk and her effort to raise the issue through proper channels, no action has been taken by the County or the State. The Clerk and her team remain without protection, and the statutory breach remains uncorrected. The failure to respond —despite being placed on notice—further underscores the systemic inaction and institutional disregard for basic public safety obligations.

### Legal Duties Under SB 42 and Government Code § 29.006

Texas Government Code § 29.006 and Senate Bill 42 mandate that all court facilities provide adequate security, including the establishment of a Court Security Committee and the presence of armed personnel. These requirements are not optional. They are binding obligations designed to protect the public, court staff, and judicial officers. The Cass County Courthouse is currently operating without any form of armed or unarmed security. This is a clear and ongoing violation of state law. The absence of a protective presence is not a technical oversight—it is a direct threat to the safety of the Cass County Clerk, her staff, and any member of the public who enters the courthouse.

### Budget Mismanagement Enabled Noncompliance

If financial limitations are later raised as justification for the ongoing lack of courthouse security, those limitations are the result of maintaining two full courthouse facilities—each with its own utilities, maintenance, and operational costs. Resources that should be used to fulfill core legal obligations, such as securing the courthouse, are instead being spent on duplicative infrastructure. The failure to reallocate resources back to the lawful courthouse has directly contributed to the ongoing statutory violation and exposed public employees to unnecessary and unlawful risk. This is not a funding crisis—it is a budgeting failure driven by prolonged inaction and misplaced priorities.

### Community Decline and the Loss of Civic Function

The continued absence of the judiciary from the Cass County Courthouse has had a visible and measurable impact on the surrounding community. Once a stable civic anchor, the courthouse drew regular foot traffic that supported local businesses and public institutions. Since court operations were relocated, numerous businesses have shuttered. Historic buildings now sit empty. What was once an active town center has become stagnant, losing both economic activity and civic energy. The failure to return the judge to the courthouse is not only a breach of statutory duty—it is a direct contributor to the ongoing decline of Linden's core.

## LEGAL ARGUMENT

**Mandamus Is Appropriate to Compel a Public Entity to Perform a Non-Discretionary Duty**

Mandamus relief is appropriate when a public official or entity fails to perform a clear legal duty and no other adequate remedy exists. Texas law authorizes the issuance of a writ of mandamus where: (1) the respondent has a legal duty to act, (2) that duty is not discretionary, and (3) the petitioner has no adequate alternative legal remedy. Each of these elements is satisfied in this case.

***State Law Imposes a Mandatory Duty to Secure the Courthouse***

Texas Government Code § 29.006 and Senate Bill 42 impose a non-discretionary duty on counties to provide armed courthouse security and to establish a Court Security Committee. These laws were enacted to ensure the safety of court staff, judicial officers, and the public. Despite this clear mandate, the Cass County Courthouse currently operates with no armed or unarmed security, even though it remains in active governmental use by the County Clerk and her staff. This is an ongoing and open violation of state law.

***Authorities Were Placed on Notice and Chose Not to Act***

The Cass County Clerk formally raised the issue of the security failure and requested remedial action. No formal response or corrective action has been taken by Cass County or the Texas Department of Emergency Management. This failure to respond—despite being placed on notice—eliminates any ambiguity and reflects systemic disregard for legal obligations and public safety. Continued inaction in the face of statutory duty and acknowledged risk is grounds for immediate mandamus relief.

### ***There Is No Adequate Remedy at Law***

The Petitioner has exhausted all reasonable and available channels to seek correction of the security failure and unlawful facility use. No administrative path exists to compel compliance, and the responsible agencies have declined to act. The courthouse remains unsecured, and the statutory violations continue. Only this Court can compel the performance of these duties and restore lawful, safe, and transparent judicial operations in Cass County.

## PRAYER FOR RELIEF

WHEREFORE, PREMISES CONSIDERED, Petitioner respectfully requests that this Court:

- Order Respondents to restore lawful court operations by relocating the judge, judicial personnel, and associated infrastructure back to the Cass County Courthouse within a reasonable, court-determined timeframe;
- Order Respondents to take immediate and affirmative steps to restore armed security at the Cass County Courthouse in full compliance with Texas Government Code § 29.006 and Senate Bill 42;
- Declare that the continued offsite operation of judicial functions, in the absence of armed security, a Court Security Committee, and a lawful administrative order, constitutes a violation of state law and a breach of non-discretionary duties imposed upon Respondents;

- Enjoin Respondents from further neglect by requiring written certification of compliance with the Court's orders, including confirmation of courthouse security measures, judicial relocation, and the formation of a lawful Court Security Committee, to be submitted within a timeframe set by the Court;
- Grant such other and further relief as the Court deems just, proper, and necessary to remedy the statutory violations described herein and to protect the public interest.

Petitioner respectfully requests expedited review and relief within seven (7) days. This petition is directly tied to an emergency filing that has gone unacknowledged and unaddressed, despite being formally submitted on March 6th. Continued delay only serves to extend the State's failure to respond. Should this Court decline to act, or determine that it lacks jurisdiction to enforce the statutory obligations at issue, Petitioner will, by legal necessity, refer the matter to the Office of the Attorney General of Texas for further intervention.

This petition is not motivated by personal conflict, but by a sincere effort to strengthen the systems that serve the people of Texas. It is submitted in the interest of public safety, legal integrity, and institutional accountability. Those who do not share that commitment should be seen for what they are—and understood in the context of their inaction.

Respectfully submitted,

Cliff Stephens

Pro Se Petitioner

Linden , Tx 75563

Cliff Stephens

**THE STATE OF TEXAS** }
**COUNTY OF** Cass }

**Before** me, the undersigned authority, on this day personally appeared [redacted]

known to me to be the person whose name subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office on this the 2nd day of April 2025, A.D.

[redacted]

County, Texas.

[redacted]

FRANK LANIER
Notary Public
State of Texas
ID# 735347-3
y Comm. Expires 11-06-2028

## EXHIBIT A

### Initial Emergency Declaration and Discussion with City Manager (March 5-6, 2025)

This exhibit documents the Petitioner's first attempt to resolve the structural emergency at 122 W. Houston Street through the City of Linden. Petitioner met in person with City Manager Stephen Barnes, presented a forensic engineering report confirming imminent collapse, and requested permission to install temporary structural supports.

The City Manager acknowledged the emergency. However, no action was taken, and the City did not provide any written authorization, denial, or follow-up. This meeting represents the point at which the emergency could have been resolved at the local level—but was not.

Mr. Barnes was provided with this summary in writing following the meeting and accepted it as accurate. He holds the original signed copy and raised no objections to its content.

Petitioner formally retracts any positive or good faith statements made in the attached letter regarding Mr. Barnes or the City of Linden, as subsequent inaction has rendered those sentiments no longer applicable.

## Subject: Follow-Up on 122 W. Houston St. Discussion – March 5, 2025

Dear Stephen Barnes

I appreciate you taking the time to meet with me both at your office and on site at **122 W. Houston St.** I wanted to follow up with a brief summary of our discussion to ensure we are aligned moving forward.

### At Your Office:

- I provided you with an engineering report conducted by a forensic structural engineer, which stated that the collapse of this building is imminent and that surrounding conditions are the most probable cause.
- I verbally declared a Civil Emergency due to imminent structural concerns and potential risks to surrounding properties.

### At the Property:

- We discussed the safest method to secure the building by bracing it, but we were unable to determine who owns the easement where bracing would need to be temporarily set, nor did we find whose permission I must obtain before proceeding.
- You confirmed via voice call that the city does have a water line running beneath or in the vicinity of the building, though we have not yet produced a map verifying its exact location.
- We confirmed that water is actively running through this pipe.
- I raised concerns about the possibility of the pipe leaking. You responded that if it were leaking, water would be visible.
- You stated the possibility that water runoff / drainage might be the reason for buildings structural damage.
- You asked me who would be liable if the building collapsed.
- I asked the city to begin digging exploring their pipe to confirm it is not leaking. You said you would try to get men out in the morning (03/06/2025) to begin the exploration.

Please let me know if I've misstated or misunderstood anything, I want to ensure an accurate record of our conversation. If you feel something is misrepresented, please correct the record and provide me with a copy – if nothing is given then I will assume what's here is true.

Thanks again for your time and attention to this matter.

Sincerely,
Cliff Stephens

*Given these discussions, I find the City Manager to be operating with the utmost professionalism and good faith – he has shown the since of urgency needed to resolve the situation – I have faith that under his leadership the city will do that which is needed to verify their infrastructure is operating correctly.*

## EXHIBIT B

### Emergency Declaration Submitted March 6, 2025

This exhibit contains the emergency declaration submitted by the Petitioner on March 6, 2025, concerning the structural instability and collapse risk at 122 W. Houston Street in Linden, Texas.

The declaration was originally filed with local authorities and was later returned to the Petitioner by mail without action or acknowledgment. Petitioner then hand-delivered the original document to the Cass County Clerk with the explicit request that it be delivered directly to the Cass County Judge.

As of the date of this filing, no response has been issued, no authorization granted, and no formal process initiated.

Attached to this exhibit is a copy of the emergency declaration, the supporting forensic engineering report, and the professional credentials of the licensed structural engineer.

# CIVIL EMERGENCY DECLARATION

**Filed with the Cass County Clerk: Amy L. Varnell**

**Date:** 03-06-2025
**Filed by:** Cliff Stephens
**Property Address:** 122 West Houston Street, Linden, TX 75563

## Subject: Request for Immediate Permission to Install Structural Anchors & Investigation of Waterline Due to Public Safety Hazard

I, Cliff Stephens, the owner of the property located at **122 West Houston Street, Linden, TX,** am formally **declaring a civil emergency**.

**The latest engineering report** indicates that the **surrounding city infrastructure may be contributing to the structural shifting (see attached report)**. Over the past year alone, **the foundation of my building has shifted significantly, with over four inches of movement in various directions**. The **brick wall is actively leaning and continues to worsen every day**.

I **first** brought this matter to the attention of the **City of Linden in October**, after owning the building for approximately **six months** and witnessing **firsthand movement** of the structure. Since then, the situation has **escalated significantly**, and **competent, unbiased engineers** have warned me that the **collapse of this building could happen at any time**.

The greatest **immediate danger is fire**, as the **wall in question is at risk of falling onto an assortment of electrical infrastructure. The businesses of Conn's Auto, CBD Temptations, and Fire and Knives Restaurant are most at risk** if structural failure occurs.

## Request for Immediate Action:

I have previously asked the city for **guidance on mitigating this threat** but have **received no response from any representative**.

Today, **I am requesting immediate permission** to **dig and install three (3) 36-inch by 36-inch concrete anchors** in the **easement** to **prop up this building and prevent further collapse**, thereby mitigating the threat to **both property and public safety**.

At this time, I **have not been given permission, nor have I been provided with any guidance as to where I can or cannot dig**. This lack of response is preventing me from taking action to stabilize the structure and protect the public from potential harm.

## Legal Notice to the City:

- The city **has prior knowledge** of issues in this area, having replaced a **portion of rusted pipe** nearby.
- If this water line is contributing to **ongoing structural damage**, further **city inaction will result in legal consequences**.
- **If no action is taken, I will pursue legal remedies to compel the city to fulfill its obligation to fully investigate their waterline.**

This is a **public safety emergency**, and I require **immediate authorization** to proceed with stabilization efforts **without further delay**.

## Filed With:

Cass County Clerk's Office
P.O. Box 449
Linden, TX 75563

**Signature:** ______________________________
**Date:** ______________________________

**Signed:**
Cliff Stephens
Phone: 903-665-0685
Email: cliff@anexso.life

**SEAL**
System Engineering
And Laboratories

www.sealcorp.com

800-624-0905

903-566-1980

903-566-4504 fax

12785 State Hwy 64 E

Tyler, Tx. 75707

March 3, 2025

Mr. Cliff Stephens
981 County Road 1456
Linden, Texas 75563

Re: 25102-122 West Houston Street
Linden, Texas 75563

Dear Mr. Stephens,

Please accept the following as our preliminary report since time is of the essence. However, it does not include all of our observations and measurements.

On February 27, 2025, myself and Cody Connell met with you at 122 West Houston Street in Linden, Texas. You had requested that we inspect and examine the above referenced commercial building.

The building is a nineteen thirty's (1930's) rectangular shaped building with the interior dimensions of approximately 23 feet by 50 feet. It is oriented North and South with the front of the structure located on West Houston Street.

We also examined a statement from KBL Construction and signed by Knath Hawkins on February 25, 2025.

We found that the brick wall had significant damage as a result of settlement of the Northeast corner of the structure. It is apparent that the structure is suffering from damage as a result of significant soil subsidence beneath the foundation. In fact, the damage is so severe that the failure and collapse of the wall is imminent. When the wall collapses it is likely to cause damage to adjacent utilities and building structures. If utilities areas are damaged, then a fire may result.

For the above reasons it is important to immediately install shoring both internal to the building for support of the roof structure and on the exterior to brace against the continuing failure of the brick wall.

If you have any questions, please do not hesitate to call.

Very truly yours,

Frank Johnson

Frank Johnson
President/CEO
System Engineering And Laboratories (SEAL)

[redacted]

# Frank H. Johnson, P.E., CSP

**President - Chief Executive Officer**
**System Engineering And Laboratories (SEAL)**

Retired United States
Air Force Captain

## QUALIFICATIONS

• Failure Analysis (Engineering) • Failure Analysis (Materials) • Oil Field Accidents/ Fires/Explosions • Equipment Safety • Labels & Warnings • Laboratory Safety • Multi-employer Worksite Safety • Scanning Electron Microscope Owner, Operator, Analyst

## TEACHING EXPERIENCE

UT Tyler, Adjunct Professor
Texas State Technical College, Advisory Council
Accredited courses in Forensic Engineering, Accident Reconstruction, System Safety Analysis, Accident Investigation, Industrial Safety, Laboratory Safety, AFWL 1976-1979, and many others.

## CERTIFICATIONS

- PE, Professional Engineer, California #0943
- PE, Professional Engineer, Texas #49513
- CSP, Certified Safety Professional, #4579
- State of Texas Private Investigator, #62772
- Louisiana State Board of Private Investigators, Manager, #1937-0052296
- FAA, Private Instrument Pilot

## EDUCATION

University of Texas, Graduate Studies, 2002
Oklahoma State University, Master of Science, Engineering, 1971
Arizona State University, Bachelor of Science, Engineering, 1969
Texas A&M University, Accident Reconstruction, 1983, 1997, 1998
George Washington University, Traffic Accident Analysis, 1990
Air Force Institute of Technology, Laboratory Management, 1971
University of Southern California, System Safety, 1972
Sandia Research Laboratories, Fault Tree Analysis, 1972
Air Force Institute of Technology, Laser/Optics, 1973
Air University, Squadron Officers School, 1975
Arizona State University, Safety Officers Course, 1976
Aberdeen Proving Ground, Laser/Microwave Safety, 1978
OSHA, Voluntary Compliance Outreach Trainers Course, 1991
ASM, Principles of Metallography, 1991
ASM, Metallurgy Failure Analysis, 2001
ASM, Metallurgy, Scanning Electron Microscopy, 2007
ASM, Oil Field Metallurgy, 2010
East Texas Arson Investigators Conference, 2004-2018

## EXPERIENCE

| | |
|---|---|
| 1984 - Present | President/CEO, System Engineering And Laboratories (SEAL) |
| 1981 - 1984 | President, National System Engineering |
| 1980 - 1981 | Independent engineering consultant |
| 1979 - 1980 | Safety engineer for United Drilling Company |
| 1976 - 1979 | Chief of Safety for research lab (AF Weapons Lab, Aeronautical Engin. |
| 1971 - 1976 | System Safety Officer, Airborne Laser Lab (Astronautical Engineer) |
| 1967 - 1971 | Air Force Institute of Technology, ASU, OTS & OSU |
| 1963 - 1967 | ICBM missile mechanic |
| 1959 - 1963 | Automotive mechanic |

## MEMBERSHIPS

ACIL, American Council of Independent Laboratories
A2LA, American Association for Laboratory Accreditation
AFA, Air Force Association
ANSI, American National Standards Institute (1985-2012)
AOPA, Aircraft Owners & Pilots Association
ASM, American Society for Metals
ASME, American Society of Mechanical Engineers (1984-2012)
ASSE, American Society of Safety Engineers
ASTM, American Society for Testing & Materials
AWS, American Welding Society (1987-2012)
DEPS, Directed Energy Professional Society (1995-2012)
MSA, Microscopy Society of America (2007-2012)
NAFE, National Academy of Forensic Engineers (1983-2012)
NAMS, National Association of Marine Surveyors
NFPA, National Fire Protection Association
NSPE, National Society of Professional Engineers (1983-2012)
SAE, Society of Automotive Engineers (1985-2012)
SPE, Society of Petroleum Engineers
SSS, System Safety Society

Revise 2021_3

## EXHIBIT C

### Initial Complaint Submitted to the Texas Department of Emergency Management (TDEM)

This exhibit contains Petitioner's first written complaint submitted to the Texas Department of Emergency Management (TDEM), providing early documentation of the structural emergency at 122 W. Houston Street on the Linden city square.

Submitted in the days following a formally declared local emergency on March 6, 2025, this complaint describes the condition of the structure, the immediate threat it posed to public safety, and the lack of municipal response to an active emergency hazard. The purpose of this complaint was to elevate the matter to state-level attention and ensure that emergency management channels were aware of the growing risk.

This document is included to provide the Court with critical background regarding the original emergency, the nature of the threat, and the Petitioner's early efforts to activate proper emergency procedures through all available channels. To date, no formal response or follow-up has been issued by TDEM.

Outlook

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## SECOND ATTEMPT TO CONTACT TDEM: Urgent Request for State Intervention – Infrastructure Failure & Civil Emergency in Linden, TX

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**From** Cliff Stephens <cliff@anexso.life>
**Date** Sat 3/8/2025 10:22 AM
**To** soc@tdem.texas.gov <soc@tdem.texas.gov>

8 attachments (20 MB)

Engineers Qualification.pdf; 25012_Brief Preliminary Report 4.pdf; File Public Emergency Declaration.docx; Stephen Barnes Follow Up Report.docx; Ricky_Conn_Statement.png; kayla_statement.png; Ken_Hawkins_Statement2.png; Ken_Hawkins_Statement.png;

To the State of Texas – A Call for Immediate Action

This letter is for the State Coordinator for Infrastructure and Emergency Response and the Deputy Chief for Response and Recovery at TDEM. If I have not received a response within 24 hours, I request that this letter be delivered to the Chief of Staff or Executive Director for immediate action.

Background & Emergency Filing

- March 3, 2025 – I received an engineering report confirming my building is under immediate threat of collapse.( attached ) .
- March 5, 2025 – I took the report to the City Manager, Stephen Barnes, and verbally declared a civil emergency.
- March 6, 2025, at 16:00 – I officially filed a civil emergency with the City of Linden.
- The filing is recorded with County Clerk (attached).

  UPDATE: March 8th: I am still seeking permission from the City of Linden regarding permission to build the temporary structure needed to mitigate the treat – I have received no communication from any Official since March 6, 16:00: The threat to public safety has not changed.

  Estimated time until emergency mitigation : 36 - 48 hours.

The immediate threat is simple – a section of my building at 122 West Houston St. is going to collapse. I am doing everything I can, shoring it up inside and out : I need the city to issue a temporary emergency order to allow me to build the structure needed to mitigate this threat and end the emergency – this has been requested but not accomplished -- I request the TDEM to immediately intervene.

If this structure fails, it won't just take down one building – it's a fire hazard that could take five others with it. These aren't just structures. These are the heart of Linden's city center. The owners of these buildings have given statements and are ready to be contacted if needed.

## Root Cause: The City's Infrastructure Failure

- A rusted-out, failing city water line is pulling soil out from under our buildings, destroying their foundations.
- City work orders from 2022 will confirm the city's knowledge of the issue - the issue for these years has not been addressed – it has now developed into an emergency.
- Five buildings—built in different decades—all started shifting at the same time. The city says that these are isolated incidents - That these buildings simultaneously experience similar foundational upheavals on their own.
- Independent engineers confirm it's not the buildings' fault—it's a neglected (4 years) city infrastructure failure. The most recent engineering report was given to the city on 3/3/25 - it stated that collapse of this building is imminent - it was not and is not being taken seriously - the city officals look at the latest engineers resume and act on nothing - if this mans resume (attached) is not taken serious , and his words are not taken serious – then TEXAS is in serious trouble. And TEXAS - is going to solve this problem when TEXAS shows up.

Quickly:

From the start - The building owners have not asked for any monetary compensation - we want only to correct our foundations and set these properties right with the assurance that the work we do to our building will not be in vain - even now, with this emergency, I am going to build a structure that holds up another structure, both of which are on unstable ground - This logic is the reason That TDEM must take this matter serious - As Christ my witness , I know not to build anything on unstable ground – and those who recommend that I build and trust such a structure need to be investigated.

We're also not asking the city to fix anything—we're asking them to test a pipe we know has had a leak in the past; we know the pipe is old, partially damage , and due to be replaced. We're asking them to test it to see if that is the problem – If it's not the problem , we need to know that it's not the problem so we can move towards solving the problem. If it is the problem, then they've been keeping the rest of the citizenry from solving the problem for years.

They will scheme – if you say test it they will test the portion of the pipe that is undamaged and say see the rest is undamaged – or they will test it incorrectly – they will do anything but address the situation that began years ago and is now spiraling - there must be an independent investigator—These buildings in TEXAS that have stood for all these years deserve respect - in my building alone sits 250 year old Red Pine - it was harvested here in Linden in the building has a similar story. It's Texas –So the city failed - I need Texas – This problem can be resolved in weeks - it has taken years to get to THIS POINT.

We can do so much better here. A wise man or woman could make this right and put us on the right path in a few days if not hours. I pray you use every ounce of authority you have to get them to move today, we have exhausted all efforts.

**Primary Request - That the TDEM contact the officials and hasten the process of getting permission to build this support structure.**

Secondary Request - Conduct an investigation regarding the handling of this situation and any neglect that led to 600 years of TEXAS history being put at risk.

Come quick,

Cliff Stephens
903-665-0685
cliff@anexso.life

**EXHIBIT D**

## Formal Request to TDEM for Emergency Compliance Order

This exhibit includes Petitioner's formal request to the Texas Department of Emergency Management (TDEM) to issue a compliance order under Chapter 418 of the Texas Disaster Act of 1975. The request was submitted to **Regional Director Nathan Carroll** and cites statutory authority under Texas Government Code Sections 418.041, 418.042, and Senate Bill 42 (2017).

The request outlines the Cass County Judge's failure to respond to a declared emergency, the lack of courthouse security in violation of SB 42, and the breakdown of non-discretionary emergency obligations by local officials. Petitioner formally requested corrective action and a compliance order directing lawful relocation and restoration of security measures.

As of the date of this filing, **TDEM has not acknowledged receipt**, issued a compliance order, or taken any formal action in response. No confirmation has been received from Mr. Carroll or any representative of the department.

This document serves as evidence of procedural breakdown and continuing statutory noncompliance at both local and state levels despite properly submitted notice.

Outlook

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**Request for Emergency Compliance Order – Cass County Courthouse**

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**From** Cliff Stephens <cliff@anexso.life>
**Date** Sat 3/22/2025 10:44 PM
**To** Nathan Carroll <nathan.carroll@TDEM.texas.gov>

1 attachment (8 KB)
Filed Public Emergency Declaration.docx;

*(Nathan - received response required - please forward this to the Department Head)*

## Request for Emergency Compliance Order – Cass County Courthouse

Nathan Carroll
Regional Director
Texas Division of Emergency Management

Dear Mr. Carroll,

Pursuant to **Section 418.041** of the **Texas Disaster Act of 1975** and related provisions, I am formally requesting that the Texas Division of Emergency Management (TDEM) issue a compliance order directing the **Cass County Judge** to:

1. **Relocate his chambers and operational facilities** to the Cass County Courthouse; and
2. **Rectify the courthouse's documented security deficiencies**, notably the absence of armed security personnel.

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## Basis for This Request

The Cass County Judge's failure to respond to a declared emergency, combined with the ongoing security deficiencies at the Cass County Courthouse, constitutes a direct violation of both **Chapter 418** of the Texas Disaster Act and **Senate Bill 42 (2017)** — the **Judge Julie Kocurek Judicial and Courthouse Security Act**.

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## 1. Noncompliance with Emergency Management Obligations

A formal emergency was declared in Cass County on **March 6, 2025** (see attached **Emergency Declaration**).

- Under **Section 418.108(g)**, local officials, including county judges, are obligated to ensure operational continuity and coordinate emergency responses.
- The Cass County Judge failed to respond within the **72-hour window** implied under Chapter 418 for emergency response and operational continuity.
- The Judge's continued absence from the courthouse—his designated seat of authority—since the declaration constitutes a failure to act and a breakdown in command and control.

Under **Section 418.042(a)**, TDEM is empowered to "provide technical assistance" and enforce compliance when local officials fail to act. The Judge's failure to maintain operational control at the courthouse undermines TDEM's statutory obligation to maintain a unified emergency management system (**Section 418.002**). This inaction requires immediate corrective action.

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## 2. Violation of Courthouse Security Standards (SB 42)

Senate Bill 42, codified in **Government Code Section 71.031**, mandates that each county establish a **Court Security Committee** to assess and address courthouse security risks.

The Cass County Courthouse currently operates without security, despite the Cass County Clerk's requests for security. Repeat: ZERO security in the courthouse. The Clerk will confirm that her requests for security have gone unanswered, and no response has been received regarding her concerns.

- Under SB 42, counties are required to:
  - Form a **Court Security Committee** (**Gov. Code § 71.031(b)**);
  - Conduct regular security risk assessments (**Gov. Code § 71.031(c)**); and
  - Implement protective measures based on findings (**Gov. Code § 71.031(d)**).

I formally request that TDEM provide:

- Proof of the Committee's existence in Cass County;
- Records of security assessments conducted since **2024;**
- Meeting minutes reflecting action on the Clerk's requests; and
- Evidence of any response to the identified security gap.

Absent such documentation, Cass County is in clear breach of SB 42.

TDEM's failure to enforce these standards would compound the violation, as **Section 418.042(a)(3)** tasks TDEM with ensuring local compliance during emergencies.

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### 3. TDEM's Statutory Duty and Broader Implications

Under **Section 418.041(b)**, TDEM must coordinate a statewide emergency management framework. The Cass County Judge's failure to respond and the courthouse's unresolved security deficiencies compromise this framework.

If TDEM does not act, it risks:

- A precedent that weakens enforcement of emergency compliance statewide;
- Heightened legal and operational liability for failing to uphold Chapter 418; and
- Erosion of public trust in Texas' disaster response infrastructure.

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### 4. Legal Basis for Action

Should TDEM fail to act, I will pursue a **Petition for Writ of Mandamus** in **Travis County District Court**.

Under Texas law, a writ of mandamus is appropriate when a public official or agency fails to fulfill a clear legal duty.

- **Chapter 418.041(b)** imposes a mandatory duty on TDEM to coordinate and enforce emergency response compliance at the state level.
- If TDEM refuses to issue a compliance order—despite clear operational failures under Chapter 418 and SB 42, that creates grounds for mandamus.

---

## 5. Notice of Escalation

If this request is denied or ignored, filings will occur in Travis County District Court, where TDEM and its leadership will be required to stand by the actions of the Cass County Judge and explain, in great detail, why they believe these actions constitute an adequate response to any emergency. Additionally, TDEM will be required to justify the lack of security at the Cass County Courthouse, and why the absence of security at such a critical location is deemed acceptable under the law.

---

## 6. Response Deadline

Please confirm receipt of this request by **5:00 PM CDT on March 24, 2025** (48 hours from submission). A substantive response addressing the compliance order is expected by **March 27, 2025**.

Failure to meet these deadlines will establish procedural noncompliance under **Chapter 418** and increase TDEM's exposure to litigation and operational liability.

---

Thank you for your prompt attention to this issue. I trust TDEM will fulfill its duty to safeguard Texas' emergency management system.

Sincerely,

Cliff Stephens
Cliff@anexsolife
903-665-0685

**EXHIBIT E**

**This exhibit includes three written statements from the owners of buildings adjacent to the structure at 122 W Houston Street. Each confirms ongoing damage, deterioration, or risk to their properties as a result of the continued structural instability and lack of emergency response by city and county officials.**

These statements are included to provide direct, independent testimony from parties affected by the prolonged failure to act. They underscore that the hazard is not speculative or isolated — it is actively endangering neighboring properties and accelerating broader structural decline in the area.

These statements further demonstrate the urgent need for coordinated intervention and reinforce the public safety implications of continued administrative inaction.

KBL CONSTRUCTION

123 EAST HOUSTON ST

LINDEN, TX 75563

THIS LETTER IS CONCERNING THE ASSESSMENT OF THE SOUTHEAST CORNER OF 107 NORTH MAIN STREET IN LINDEN TEXAS. WE'RE HAVING FOUNDATION ISSUES IN THIS LOCATION.

IN APRIL OF 2024 WE HAD THE AREA AROUND THE FOUNDATION PARTIALLY EXCAVATED AND FOUND THAT THE EXISTING WATER LINE HAS BEEN LEAKING FOR MANY YEARS. THE WATER LINE IS OLD, RUSTY AND CORODED AND HAD BEEN LEAKING LONG ENOUGH TO AFFECT THE BUILDING FOUNDATION. THE BUILDING WAS SLOWLY SINKING. AFTER WE DISCOVERED THIS, WE WENT TO THE CITY MANAGER AT THAT TIME, LEE ELLIOT AND EXPLAINED THAT THIS WAS AN ISSUE NEEDING THE CITY OF LINDENS IMMEDIATE ATTENTION.

THE CITY DID ATTEMPT TO ADDRESS THE PIPING ISSUE BUT REALIZED IT WAS THE MAIN PIPE RUNNING BACK TO THE WATER TOWER AND UNDER HIGHWAY 11 AND MULTIPLE BUILDINGS. THEY EXPLAINED TO US THAT THEY HAD DONE THE BEST THEY COULD TO REPAIR THE PIPE BUT COULD NOT AFFORD TO REPLACE THE PIPE IN ITS ENTIRETY.

APPROXIMATELY 8 MONTHS LATER, WE HAD AN ISSUE AGAIN WITH THE WATER LEAKING AND A BROKEN VALVE, ONCE AGAIN THE CITY MANAGER EXPLAINED THAT THEY TRIED TO REPAIR THE PIPE AND VALVE TO THE BEST OF THEIR ABILITY. IT IS NOW ALMOST A YEAR LATER AND THE PIPE HAS NOT BEEN REPLACED. WE ASSUME THE PIPE IS STILL LEAKING BECAUSE OUR BUILDING AND OTHER NEARBY

BUILDINGS ARE CONTINUEING TO SETTLE. WE ARE NOW AT A POINT WHERE MY ONLY OPTION TO FIX THE FOUNDATION IS TO HIRE SPECIALTY EXCAVATION COMPANY, THAT REMOVES EXISTING DIRT WITH WATER AND VACTRON, AS TO NOT DISTURB ANY OF THE EXISTING PIPING, WATER AND GAS AND A CONCRETE COMPANY TO POUR A DEADMAN, WHICH WILL STOP THE BUILDING FROM SINKING. THIS IS A VERY EXPENSIVE FIX AND WE ARE STILL NOT ADDRESSING THE ISSUE OF THE EXISTING WATER LINE THAT NEEDS REPLACED. AT THIS TIME, EVEN IF THE EXISTING CORODED WATER LINE IS REPLACED, IT IS NECESSARY TO INSTALL A DEADMAN TO STOP THE BUILDING FROM SINKING ANY FURTHER. I HAVE ON MULTIPLE OCCASIONS TALKED TO THE CITY MANAGER ABOUT THIS ISSUE BUT HAVE ONLY BEEN TOLD THAT IT'S JUST NOT IN THE CITIES BUDGET TO REPLACE THIS PIPE OR PROPERLY FIX THE SINKING FOUNDATION TO THE BUILDING.

2-25-2025

KENNETH HAWKINS

[redacted]

BUMPER TO BUMPER

**CONN AUTO SUPPLY**

P.O. BOX 1320
101 N. Main Street
LINDEN, TEXAS 75563
Phone: 903/756-5361
903/756-5691

155853

CUSTOMER'S ORDER No. ______ DATE Feb 13 20 25

SOLD TO ______

ADDRESS ______

| MDSE. SOLD | | MDSE. RET'D | | RECD. ON ACCT.-NOTE | MISC'L | PAID OUT |
|---|---|---|---|---|---|---|
| CASH | CHARGE | CASH | CREDIT | | | |
| | | | | | | |

| QTY. | PART No. | ARTICLES | PRICE | AMOUNT |
|---|---|---|---|---|

I have been aware of the ground caving in behind my store in the alley for about 2 years. I have had to prop up the slab my air conditioner is on because it sank on one end over 12". Ryland's building has dangerously sunk down on its back corner. This presents an alarming situation.

Sincerly

Richard (Ricky) Conn

TAX

TOTAL

SALESMAN ______ RECEIVED BY ______

[redacted]

Located at 106 A main st -

[redacted]

I want to express my concern

[redacted]

[redacted]

4/23/2025 3:58 PM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Selina Hamilton

**VELVA L. PRICE**
District Clerk, Travis County
Civil Division (512) 854-9457

## Process Request Form

---

**CASE NUMBER:** D-1-GN-25-002397 **COURT:** 353

**NAME(S) OF DOCUMENTS TO BE SERVED:** ______

**FILE DATE:** 04-07-2025
Day/Month/Year

**SERVICE TO BE ISSUED ON:** **(Please List Exactly As The Name Appears In The Pleading To Be Served- Additional Parties on page 2)**

1. **Issue Service to:** TEXAS DEPARTMENT OF EMERGENCY MANAGMENT
**Address of Service:** 2883 Hwy 71 EAST PO BOX 285
**City, State & Zip:** DEL VALLE, TEXAS 78617
**Agent:** **(if applicable)** ______

**TYPE OF SERVICE/PROCESS TO BE ISSUED:**

☒ **Citation** ☐ **Citation by Posting** ☐ **Citations Rule 106 Service** ☐ **Hague Convention Citation**
☐ **Secretary of State/ Highway Commission/Commissioner of Insurance Citation**
☐ **Citation by Publication: Newspaper** ______
☐ **Show Cause** ☐ **Notice** ☐ **Temporary Restraining Order** ☐ **Temporary Protective Order**
☐ **Capias** ☐ **Attachment** ☐ **Habeas Corpus**
☐ **Subpoena** ☐ **Garnishment** ☐ **Injunction** ☐ **Sequestration** ☐ **Abstract** ☐ **Execution**
☐ **Other (Please Describe)** ______

---

**SERVICE BY** ***(check one)*****:**

☐ **ATTORNEY/REQUESTER:** **(Email)** ______
☐ **PROCESS SERVER:** **(Email)** ______
☐ **PICK UP:** **(Person/Agency Name and Phone Number)** ______
☐ **TRAVIS COUNTY CONSTABLE:** Please select PCT if you have a preference **1-**☐ **2-**☐ **3-**☐ **4-**☐ **5-**☐
☒ **CERTIFIED MAIL**
☐ **OTHER,** ***explain*****:** ______

---

**Requested by:**

**Name:** Cliff Stephens
**Mailing Address:** 981 CR 1456
**City, state, Zip:** LINDEN, TEXAS 75563
**Phone Number:** 903-665-0685
**E-mail Address:** cliff@anexso.life

**Notes/Comments to the clerk:** ______

## Civil Process Request Form - Additional Parties

**SERVICE TO BE ISSUED ON:** **(Please List Exactly As The Name Appears In The Pleading To Be Served)**

2. **Issue Service to:** Judge Travis RANSOME (CASS COUNTY)
**Address of Service:** PO BOX 825
**City, State & Zip:** LINDEN, TEXAS, 75563
**Agent:** (if applicable)

3. **Issue Service to:**
**Address of Service:**
**City, State & Zip:**
**Agent:** (if applicable)

4. **Issue Service to:**
**Address of Service:**
**City, State & Zip:**
**Agent:** (if applicable)

5. **Issue Service to:**
**Address of Service:**
**City, State & Zip:**
**Agent:** (if applicable)

6. **Issue Service to:**
**Address of Service:**
**City, State & Zip:**
**Agent:** (if applicable)

7. **Issue Service to:**
**Address of Service:**
**City, State & Zip:**
**Agent:** (if applicable)

## CITATION

## THE STATE OF TEXAS

**CAUSE NO. D-1-GN-25-002397**

CLIFF STEPHENS

, PLAINTIFF(S)

vs.

CASS COUNTY; TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

, DEFENDANT(S)

TO: **CASS COUNTY**
**BY SERVING JUDGE TRAVIS RANSOME**
**PO BOX 825**
**LINDEN TX 75563**

Defendant, in the above styled and numbered cause:
**YOU HAVE BEEN SUED. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 A.M. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org."**

Attached is a copy of the **EMERGENCY PETITION FOR WRIT OF MANDAMUS** in the above styled and numbered cause, which was filed on **APRIL 07, 2025** in the **353RD DISTRICT COURT** of Travis County, Austin, Texas.

ISSUED AND GIVEN UNDER MY HAND AND SEAL of said Court at office**, APRIL 25, 2025**

REQUESTED BY:
**CLIFF STEPHENS**
**981 CR 1456**
**LINDEN, TX 75563**

Velva L Price
Travis County District Clerk
Civil Family Court Facility (CFCF)
1700 Guadalupe Street, P.O. Box 679003 (78767)
Austin TX 78701

**Selina Hamilton, Deputy**

## RETURN

Came to hand on the _____ day of ________________, ________ at ________ o'clock ____M., and executed at __________________________________________________ within the County of ______________________ on the _____ day of ________________, ________, at ________ o'clock ____M., by delivering to the within named _________________________________________________________, each in person, a true copy of this citation together with the **EMERGENCY PETITION FOR WRIT OF MANDAMUS** accompanying pleading, having first attached such copy of such citation to such copy of pleading and endorsed on such copy of citation the date of delivery.

Service Fee: $ ________

___________________________________________
Sheriff / Constable / Authorized Person

Sworn to and subscribed before me this the
_____ day of ________________, ________.

By:__________________________________________

___________________________________________
Printed Name of Server

______________________________ County, Texas

**CONSTABLE**

_______________________________________
Notary Public, THE STATE OF TEXAS
**D-1-GN-25-002397**

# CITATION

# THE STATE OF TEXAS

**CAUSE NO. D-1-GN-25-002397**

CLIFF STEPHENS

, PLAINTIFF(S)

vs.

CASS COUNTY; TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

, DEFENDANT(S)

TO: **TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT**
**2883 HWY 71 EAST**
**DEL VALLE, TX 78617**

Defendant, in the above styled and numbered cause:
**YOU HAVE BEEN SUED. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 A.M. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org."**

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ISSUED AND GIVEN UNDER MY HAND AND SEAL of said Court at office**, APRIL 25, 2025**

REQUESTED BY:
**CLIFF STEPHENS**
**981 CR 1456**
**LINDEN, TX 75563**

Velva L Price
Travis County District Clerk
Civil Family Court Facility (CFCF)
1700 Guadalupe Street, P.O. Box 679003 (78767)
Austin TX 78701

**Selina Hamilton, Deputy**

## RETURN

Came to hand on the _____ day of ________________, ________ at ________ o'clock ____M., and executed at ______________________________________________ within the County of ______________________ on the _____ day of ________________, ________, at ________ o'clock ____M., by delivering to the within named ____________________________________________________, each in person, a true copy of this citation together with the **EMERGENCY PETITION FOR WRIT OF MANDAMUS** accompanying pleading, having first attached such copy of such citation to such copy of pleading and endorsed on such copy of citation the date of delivery.

Service Fee: $ ________

____________________________________________
Sheriff / Constable / Authorized Person

Sworn to and subscribed before me this the
_____ day of ________________, ________.

By:__________________________________________

____________________________________________
Printed Name of Server

______________________________ County, Texas

________________________________________
Notary Public, THE STATE OF TEXAS
**D-1-GN-25-002397**

**CONSTABLE**

5/5/2025 2:22 PM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Melissa Romero

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF
TRAVIS COUNTY, TEXAS

Cliff Stephens
PLAINTIFF
v.
TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT
and CASS COUNTY

DEFENDANTS

353rd JUDICIAL DISTRICT

# EMERGENCY MOTION TO SECURE THE CASS COUNTY COURTHOUSE

*Filed pursuant to Chapter 7 of the Local Rules governing Duty and Emergency matters.*
This motion seeks immediate Ex Parte relief from the Duty Judge. The Plaintiff respectfully requests verification of a courthouse security breach and an order directing the Cass County Sheriff to station a deputy at the Cass County Courthouse pending further review by the 353rd District Court.

# *EMERGENCY MOTION TO SECURE THE Cass COUNTY COURTHOUSE*

TO THE HONORABLE DUTY JUDGE OF TRAVIS COUNTY:

Plaintiff Cliff Stephens files this Emergency Motion and respectfully requests immediate judicial action under Chapter 7 of the Local Rules to secure the Cass County Courthouse.

## I. FACTUAL BACKGROUND

The Cass County Courthouse is presently operating without any armed security.
Prior requests for protection by courthouse staff have been ignored. There is no evidence of current enforcement, and no deputies or peace officers are stationed on site. This leaves court personnel, public officials, and citizens exposed to serious and ongoing risk.

## II. BASIS FOR *Ex Parte* RELIEF

The absence of security is no longer the only emergency. The failure of officials to recognize or respond to the threat has become the emergency itself.

This is a public facility with vulnerable staff, ongoing foot traffic, and a history of documented concern. Waiting for responses from Cass County or the Texas Department of Emergency Management would allow the condition to persist and deepen. Plaintiff therefore requests immediate, Ex Parte intervention.

\

## III. REQUESTED RELIEF

Plaintiff respectfully requests:

1. That the Duty Judge's office make direct contact with the Cass County Clerk or her designated staff to confirm whether the courthouse currently lacks armed security; and
2. If confirmed, that the Court immediately contact the Cass County Sheriff's Office and request that a deputy be dispatched to the courthouse without delay.

Plaintiff further requests that the deputy remain on site until the 353rd District Court has had an opportunity to deliberate further or issue additional guidance.

Respectfully submitted,

**Cliff Stephens**
Pro Se Plaintiff
Linden, Tx 75563

5/6/2025 11:11 PM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Candy Schmidt

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF
TRAVIS COUNTY, TEXAS

Cliff Stephens
PETITIONER
v.
TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT
and CASS COUNTY
RESPONDENTS

353rd JUDICIAL DISTRICT

# *EMERGENCY MOTION FOR JUDICIAL REVIEW AND SECURITY COMPLIANCE ORDER UNDER TEXAS GOVERNMENT CODE §§ 29.014, 21.001, AND RULE 680*

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW the Movant, Cliff Stephens, appearing *in propria persona*, and respectfully submits this Emergency Motion for Judicial Review and Security Compliance Order pursuant to Texas Government Code §§ 29.014 and 21.001, and Rule 680 of the Texas Rules of Civil Procedure, seeking immediate judicial intervention to address a serious and ongoing security breach at the Cass County Courthouse.

This motion supplements the Motion for Judicial Review and Security Audit previously filed under Cause No. D-1-GN-25-002397, and requests emergency relief due to Cass County's continued failure to comply with courthouse security mandates, leaving public officials and members of the public exposed to preventable danger.

Jurisdiction is proper in this Court because the Texas Division of Emergency Management (TDEM) — which received formal notice of the breach and failed to act — is headquartered in Travis County. Under § 418.041, TDEM is required to coordinate statewide emergency management efforts, including responding when local systems break down and critical public facilities are left unsecured.

## I. STANDING AND INTEREST

Movant is a resident and taxpayer of Cass County and brings this motion to protect the safety of public officers, employees, and members of the public who remain unprotected in a facility knowingly left unsecured by county leadership.

## II. LEGAL BASIS

Texas Government Code § 29.014 requires all counties to:

1. Establish a Court Security Committee, and
2. Adopt and implement a courthouse security plan.

Texas Government Code § 21.001 grants this Court inherent authority to enforce compliance with law and public safety responsibilities.

Texas Rules of Civil Procedure Rule 680 authorizes courts to issue emergency relief where immediate harm is threatened and ordinary legal remedies are inadequate.

Cass County is in probable violation of both statutory requirements and has taken no visible steps to comply, despite notice and public risk.

## III. FACTUAL BACKGROUND

- The Cass County Courthouse remains open to the public and staffed daily by the elected County Clerk and her all-female staff, including pregnant employees.
- There is no visible or known armed security presence protecting the courthouse.
- The Cass County Judge conducts official duties from a separate, guarded facility approximately one mile away.

This arrangement confirms official knowledge of the risk. The judge has shielded himself while leaving the Clerk and her staff  in an unsecured facility. This is not a misunderstanding. The Clerk has raised the issue, it’s being ignored and that ignorance is in itself the emergency here.

## IV. EXHAUSTION OF NONJUDICIAL REMEDIES

As detailed in the original filing under Cause No. D-1-GN-25-002397, Movant provided formal written notice to TDEM leadership March 22, 2025, outlining the absence of armed security and at the Cass County Courthouse and requesting coordination to address this public safety risk. No response or assistance followed. While TDEM lacks direct enforcement authority under § 29.014, it is charged under § 418.041 with coordinating statewide emergency management and public safety preparedness. This includes a duty to assess reported public safety risks in critical facilities, such as courthouses, and coordinate with state or local authorities to facilitate a response when local remedies are ineffective.

TDEM’s failure to assess or coordinate after Movant’s notice—coupled with Cass County’s ongoing inaction—confirms the collapse of standard institutional channels and necessitates judicial intervention in Travis County, where TDEM is headquartered. Cass County’s failure to provide visible armed security or evidence of a Court Security Committee, as required by § 29.014, renders local relief impossible. Their selective protection of the County Judge, who operates from a secured facility, further demonstrates institutional knowledge of the risk. This motion represents the only remaining avenue to address an ongoing public safety breach.

## V. EMERGENCY CONTEXT

Courthouses in Texas are known target for violence, with incidents such as the 2013 Kaufman County courthouse shootings highlighting their vulnerability. The absence of armed security, a security plan, or a functioning Court Security Committee at the Cass County Courthouse creates an imminent and continuing risk to the elected County Clerk, her all-female staff—including pregnant individuals—and the public. This risk is exacerbated by the deliberate inaction of Cass County officials. The County Judge, who enjoys the protection of a secured, restricted-access facility approximately one mile away, has ignored repeated requests from the County Clerk for basic security measures. This selective protection, coupled with the failure to address the Clerk's pleas, constitutes a willful disregard of statutory obligations under § 29.014 and establishes the emergency necessitating immediate judicial intervention.

## VI. REQUEST FOR EMERGENCY RELIEF

Movant respectfully requests that this Court:

1. Recognize that the Cass County Courthouse is in probable violation of Texas Government Code § 29.014;
2. Initiate an emergency judicial security audit to determine:
    - Whether a Court Security Committee exists;
    - Whether any courthouse security plan has been adopted;
    - Whether the facility is operating lawfully under current standards;
3. Notify the 10th Administrative Judicial Region and/or the Cass County Commissioners Court of any deficiencies or violations found;
4. Recommend immediate interim protective measures, including a formal request that the Cass County Sheriff assign at least one armed deputy to the courthouse during normal business hours until lawful compliance is verified;

## VII. PRAYER

WHEREFORE, PREMISES CONSIDERED, Movant respectfully requests that this Court grant the emergency relief requested above, issue any necessary findings or recommendations, and provide such other and further relief to which Movant may be justly entitled.

Respectfully submitted,
Cliff Stephens
*Pro Se Movant*
Linden, Texas 75563

5/7/2025 12:12 AM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Candy Schmidt

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF
TRAVIS COUNTY, TEXAS

Cliff Stephens
PETITIONER
v.
TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT
and CASS COUNTY
RESPONDENTS

353rd JUDICIAL DISTRICT

# SUPPLEMENTAL EMERGENCY MOTION TO RECOGNIZE AWARENESS AS SERVICE AND TO PROCEED UNDER EMERGENCY AUTHORITY

TO THE HONORABLE JUDGE OF SAID COURT:

This Court is now on notice. All relevant parties are aware. The emergency filing has been circulated, received, and acknowledged — yet no mitigating action has occurred. Under emergency conditions, *awareness is service*. The Petitioner respectfully moves this Court to proceed.

## AWARENESS HAS BEEN ESTABLISHED

There is no dispute. Everyone knows there is no security in the Cass County Courthouse.

The Cass County Clerk's Office is in possession of the emergency petition filed in this Court.

The Cass County Judge is aware of the breach — and accepting of it.

The Texas Division of Emergency Management (TDEM) has failed to act, despite direct communication and statutory obligation. Their role is to monitor, communicate, and assist in precisely this kind of structural failure. They have gone silent.

A second attempt to serve TDEM at *their provided address* has failed. They have directed the Travis County Constable to their legal department in College Station.

Every responsible party is aware. Every opportunity to respond has passed. That is the breach.

## EMERGENCY ACTION IS JUSTIFIED

Under Texas Rule of Civil Procedure 680 and Government Code § 21.001, this Court has full authority to act in an emergency without perfect service — especially where public safety is at stake and delay results in systemic failure.

The purpose of service is notice. Notice has been achieved.

Where awareness exists and no action is taken, emergency response must override procedural formalities.

## REQUEST FOR IMMEDIATE RELIEF

Petitioner respectfully requests that the Court:

1. Recognize that service has been effectively completed through awareness and constructive notice;
2. Proceed with review and intervention under emergency authority;
3. Issue any orders deemed necessary to secure the Cass County Courthouse and restore compliance with security mandates.

Respectfully submitted,
Cliff Stephens
Petitioner, Pro Se
May 6, 2025

5/9/2025 2:52 PM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Melissa Romero

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF
TRAVIS COUNTY, TEXAS

Cliff Stephens
PETITIONER
v.
TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT
and CASS COUNTY
RESPONDENTS

353rd JUDICIAL DISTRICT

# Supplemental Notice of Conditional Withdrawal of Emergency Relief

TO THE HONORABLE JUDGE OF SAID COURT:

Petitioner submits this supplemental notice regarding the emergency petition previously filed in this Court concerning the absence of armed security at the Cass County Courthouse, located on the city square in Linden, Texas.

Petitioner respectfully states the following:

1. The emergency designation associated with the original petition is based upon the continued operation of the Cass County Courthouse without certified, armed security personnel, in violation of SB 42 and applicable provisions of the Texas Government Code.
2. Petitioner now notifies the Court that should the Court Security Division of the Office of Court Administration (OCA) relay to this Court's briefing attorney or staff that competent, certified security is in place and active at the Cass County Courthouse, Petitioner will regard the emergency condition as resolved and will voluntarily withdraw the emergency designation from the petition.
3. This notice does not withdraw the underlying petition itself, which remains open for purposes of:
    - Judicial documentation of the procedural and statutory failure;
    - Continued monitoring of compliance with courthouse security obligations;
    - And preservation of the record should conditions deteriorate or fail to be maintained.
4. Petitioner submits this notice in good faith and in the interest of judicial economy, while reserving the right to reactivate the emergency element of the petition if security conditions degrade, are misrepresented, or are withdrawn without adequate replacement.

WHEREFORE, PREMISES CONSIDERED, Petitioner respectfully requests that the Court take notice of this conditional position, and allow the emergency designation to remain active unless and until competent security is confirmed and acknowledged by the Office of Court Administration through this Court's staff.

Respectfully submitted,
Cliff Stephens
Linden, TX 75563

5/12/2025 4:00 PM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Ana Lopez

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

Cliff Stephens

PETITIONER

v.

TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

and CASS COUNTY

RESPONDENTS

353rd JUDICIAL DISTRICT

# NOTICE OF FILING

# DECLARATION OF FACT

(Filed for the Court’s Awareness and Record)

TO THE HONORABLE JUDGE OF SAID COURT:

Comes now the Petitioner, Cliff Stephens, and respectfully submits the attached Declaration of Fact, filed in person at the Cass County Courthouse on May 12, 2025.

This filing is submitted solely to supplement the record in this matter. The declaration addresses current conditions related to courthouse security and operational status, which may bear on the Emergency Petition previously filed under this cause.

At this time, the Petitioner seeks no additional relief and requests no specific action from the Court. This filing is made for the Court's awareness and preservation of the record.

Respectfully submitted,

Cliff Stephens

pro se

Linden, TX 75563

2 pgs
DEC
2025002657

# DECLARATION OF FACT
Pursuant to 28 U.S.C. § 1746

The Cass County Courthouse is the county seat of Cass County, Texas.

The County Clerk continues to operate lawfully from within the Courthouse. The County Judge does not. His office, staff, and daily operations have been relocated to a facility down the road. The Cass County Courthouse — the county seat of Cass — currently operates without any form of armed security.

Whatever justification the County Judge offers for not residing full-time in the Cass County seat must now be examined. Any facilities he has established outside the Courthouse — and any functions that would expire upon his lawful return to the county seat, where the Clerk remains — must be scrutinized for legality, necessity, and consequence.

Any duplicative institutional centers created outside the Courthouse must be evaluated for legitimacy and structural impact. The Cass County Courthouse remains the only lawful seat of government. Any system created to operate in parallel — down the road, outside the law — is not continuity. It is convenience, posing as governance.

This is not conjecture. It is fact.
The Clerk remains at her post.
The Courthouse stands open and unprotected.
The Judge governs from elsewhere.
No vote was held. No lawful order was signed.

This is not a misunderstanding.
It is a structural failure.
It is ongoing.
And it is now a matter of record.

Let the record reflect: this is the line.

I declare under penalty of perjury that the foregoing is true and correct.
Executed on this 12 day of May, 2025.

Cliff Stephens

Cliff Stephens

**THE STATE OF TEXAS** }
**COUNTY OF** }

**Before me, the undersigned authority, on this day personally appeared** Cliff Stephens **known to me to be the person whose name subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.**

**Given under my hand and seal of office on this the** 12th **day of** May **, A.D.** 2025

**Notary Public in and for** Cass **County, Texas.**

FRANK LANIER
Notary Public

5/13/2025 2:26 PM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Jennifer Lucas

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF
TRAVIS COUNTY, TEXAS

Cliff Stephens
PETITIONER
v.
TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT
and CASS COUNTY
RESPONDENTS

353rd JUDICIAL DISTRICT

# *SUPPLEMENTAL STATEMENT REGARDING SERVICE ATTEMPT*

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IN

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TO THE HONORABLE JUDG

Petitioner respectfully submits the a

currently pending before this Court.

the 10th Judicial Administrative Reg

received and acknowledged.

These exhibits are submitted to:

- Confirm service and awarene

## Supplemental Filing – Exhibit A: Co

Petitioner submits the attached ema
2025, at 3:20 PM to the Administrat
response confirming the line was m
exchange affirms that the emergen
appropriate regional authority and t
remains active.

However, when an urgent request f
despite confirmation of receipt — th

# Transcript of Email Submission

Email from Cliff Stephens to Terri S

Sent: Tuesday, May 6, 2025, at 3:2

To: terri.shepherd@co.gregg.tx.us

Hi Ms. Shepherd,

Is this line being monitored? I

trying to get a short report to J

# Exhibit B – Submission of Emergen

The following exhibit documents Pe Judicial Review (Cause No. D-1-GN Judicial Administrative Region. The subject clearly marked as urgent. T submission email address. This e through the appropriate channel, communication line was monitore

Transcript of Email Submission

Date: May 7, 2025

Time: 1:34 AM CST

From: Cliff Stephens

To: Terri Shepherd terri.shepherd@

CC: 353 Submission 353.submissio

Subject: Urgent: Courthouse Secur

I do not want to go to the Attorney G

of his courthouses. That would be a

armed security. No Court Security O

The Cass County Courthouse — st

unguarded. Meanwhile, the elected

away on Highway 8. That building,

stopgap. It was never intended to re

million-dollar restoration gift was be

COVID understandably caused dela

Sir, I ask that your office independen

courthouse. If you find the Clerk and

you recommend that the Sheriff pos

This is not an abstraction. We live in

systems exist for a reason - and I kn

Whatever reasoning the Cass Coun

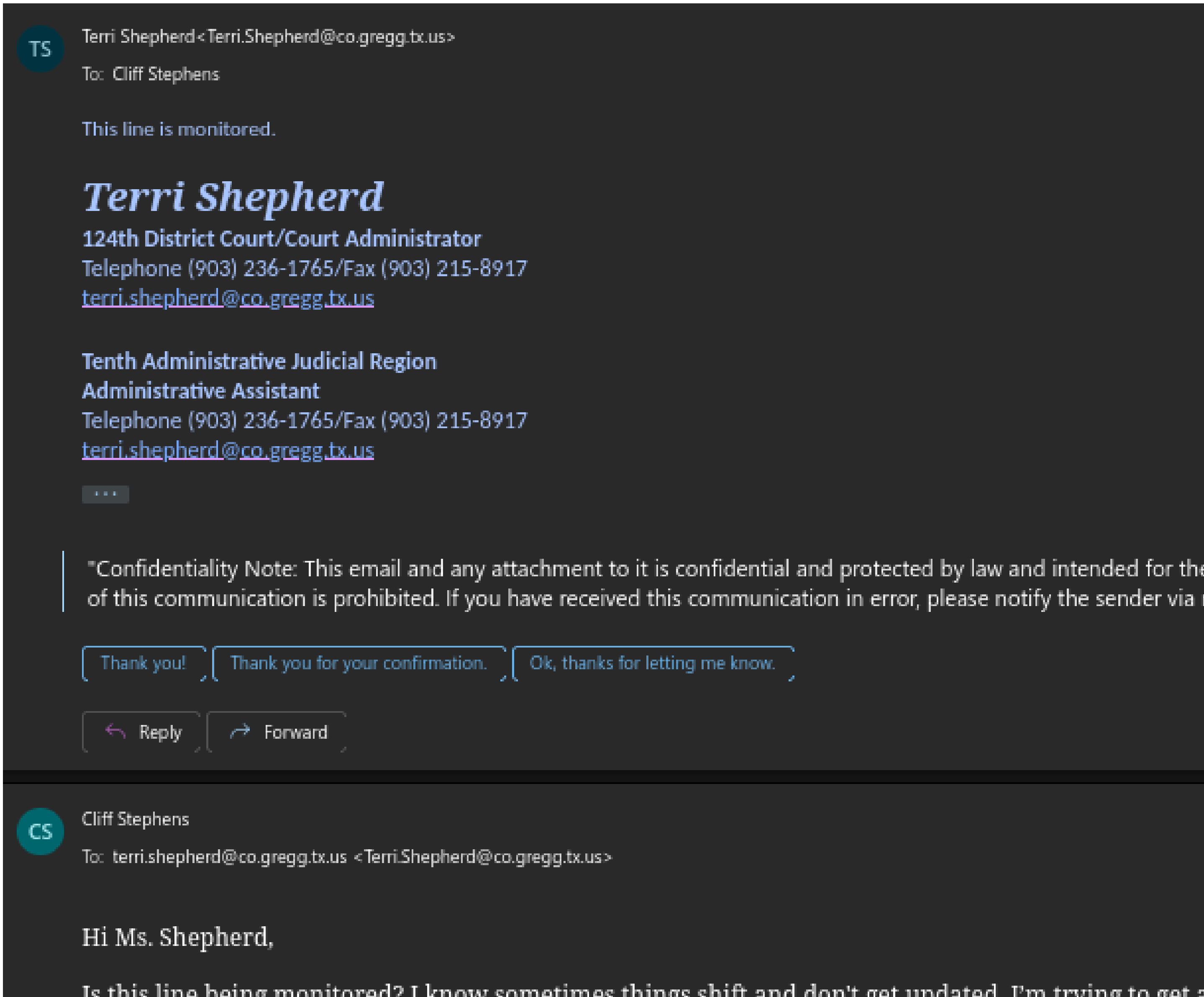
taken seriously. This is operationally

If your office is willing to stand for th

act now. The Cass County Judge do

staff are pregnant.

# Screenshot of Email Submission



Terri Shepherd<Terri.Shepherd@co.gregg.tx.us>

To: Cliff Stephens

This line is monitored.

***Terri Shepherd***

**124th District Court/Court Administrator**

Telephone (903) 236-1765/Fax (903) 215-8917

terri.shepherd@co.gregg.tx.us

**Tenth Administrative Judicial Region**

**Administrative Assistant**

Telephone (903) 236-1765/Fax (903) 215-8917

terri.shepherd@co.gregg.tx.us

> "Confidentiality Note: This email and any attachment to it is confidential and protected by law and intended for the
> of this communication is prohibited. If you have received this communication in error, please notify the sender via

Thank you!
Thank you for your confirmation.
Ok, thanks for letting me know.
Reply
Forward
CS

Cliff Stephens

To: terri.shepherd@co.gregg.tx.us <Terri.Shepherd@co.gregg.tx.us>

Hi Ms. Shepherd,

Is this line being monitored? I know sometimes things shift and don't get updated. I'm trying to get

5/13/2025 11:02 PM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Stephanie Garza

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

Cliff Stephens

PETITIONER

v.

TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

and CASS COUNTY

RESPONDENTS

353rd JUDICIAL DISTRICT

# Notice of Continued Institutional Non-Responsiveness by the Office of Court Security

TO THE HONORABLE JUDGE OF SAID COURT:

Petitioner respectfully submits this Notice to document the continued institutional non-responsiveness of the Texas Office of Court Security following the confirmed security breach at the Cass County Courthouse.

Formal communication was submitted on May 9, 2025, providing clear notice of the breach and requesting immediate verification and response. The message was acknowledged by agency personnel. No action followed.

In emergency matters involving public safety and courthouse operations, a 72-hour window is widely recognized as the outer boundary of reasonable institutional response. This standard aligns with protocols used by the Texas Division of Emergency Management and reflects expectations set forth in Texas Government Code Chapter 418.

More than 72 hours have now passed. The failure to respond is consistent with the broader pattern of institutional avoidance already established in this case.

The following exhibits confirm delivery, document acknowledgment, and establish the absence of any mitigating response.

This Court is now the final authority in a position to intervene. Every other institution has been notified. Each had the opportunity to verify the breach. Each declined to act. Responsibility — or refusal — now resides here.

Respectfully, Cliff
Stephens Linden,
Tx 75563

---

[1] This standard aligns with emergency response benchmarks used by the Texas Division of

## APPENDIX – Exhibit C Series

### Petitioner’s Communications with the Office of Court Security

C.1 – Initial Emergency Email Sent by Petitioner

C.2 – Response from Court Security Division

C.3 – Petitioner’s Follow-Up Email with Attached Notice

C.4 – Screenshots of All Email Communications

Exhibit C.1 **–** Initial Emergency Email Sent by Petitioner

From: Cliff Stephens

- To: courtsecurity@txcourts.gov
- Sent: Thursday, May 9, 2025 at 11:02 PM
- Subject: Urgent – SB 42 Courthouse Security Breach: Cass County (Please Confirm Receipt Today)
- Recipient Name: Mr. Hector Gomez, Security Director, Office of Court Administration – Court Security Division
- Attachment: Emergency Motion for Judicial Review

Mr. Hector Gomez
Security Director
Office of Court Administration – Court Security Division

Dear Mr. Gomez,

At this time, there is no security presence—armed or otherwise—at the Cass County Courthouse located on the city square in Linden, Texas.

Here is the situation:

- In recent years, renovations were undertaken at the courthouse.
- During that time, the Cass County Judge relocated operations to a temporary facility approximately one mile away.

- Now, the Judge has split courtroom operations—conducting some court at the courthouse and some court at the temporary facility.
- However, his main security apparatus remains fixed at the temporary facility, leaving the official courthouse functionally exposed.
- Renovations are complete, and the Cass County Clerk has resumed full-time duties inside the courthouse.
- No armed personnel are stationed at the courthouse, and no courthouse security committee appears to be operating in compliance with SB 42.

Most alarming, the Cass County Clerk has made requests for security, all of which have been ignored.

For clarification: I am a private citizen. I am not employed by, or affiliated with, any court.

In response to the Judge’s disregard of the ongoing security risk, I have:

- Notified the Texas Division of Emergency Management, which has remained silent.
- Contacted the 10th Regional Presiding Judge, Hon. Alfonso Charles, requesting that he verify the breach and recommend a deputy be stationed on-site. While correspondence has been received, no response to the request itself has been issued.
- Filed an emergency petition in the 353rd District Court in Travis County.

At the time of that filing, I was unaware that your office had been established with this role. It was only until after I spoke to the Clerk of the Texas Supreme Court, and explained the situation, that I was referred to your division.

This matter now falls squarely within your scope of operations.

This is not merely an operational lapse. It is a potential statutory failure under SB 42. The Cass County Courthouse is:

- An active government facility
- Staffed daily by the Clerk and her office, all of them women—some pregnant
- Unsecured, and treated as though its symbolic importance and institutional risk no longer exist simply because some court operations are temporarily taking place off-site.

As a point of reference, Timothy McVeigh did not attack an individual—he attacked a building that symbolized an institution. The Cass County Courthouse is no different. It is not a soft target because of who is inside—it is a soft target because of what it represents.

Institutional risk does not follow the court calendar. No attacker will consult the judge’s schedule. They will strike at the most visible symbol of the institution : the courthouse with the Seal of Texas on its doors - the one in the middle of town

I am requesting that your office:

1. Independently confirm the breach by directly contacting the Cass County Clerk, who remains stationed in the courthouse and can verify the current absence of armed security. If it exists.
2. Coordinate with the Cass County Sheriff to assign a deputy or other qualified peace officer to the courthouse as an interim emergency security measure, should the breach be confirmed.
3. Formally recognize the security breach in writing, if confirmed, under the authority granted to your office by SB 42 and Chapter 158 of the Texas Government Code.

4. Conduct or initiate a security risk assessment of the Cass County Courthouse in accordance with your office's responsibility to assist with courthouse safety and emergency preparedness. If necessary

5. Advise the county on corrective measures, including the immediate assignment of certified security personnel or law enforcement, to ensure continued protection of court personnel and the public.
6. Confirm whether a Courthouse Security Committee exists in Cass County, and whether it is functioning in compliance with state law, including its duties to assess risks and implement security protocols.
7. Consider recommending restoration of the original courthouse security structure — the one rooted in the Cass County Courthouse, which served as the permanent seat of justice and protected the county and the community of Linden without incident for over a hundred years.

Finally, I want to be cautious in how I express this, I’ve never had to tell a U.S. Marshal that if he doesn’t move, I will go over his head. However, if your office does not at least acknowledge that you are assessing this situation, if it remains silent like the rest, then your office will be seen as the final bottleneck in the series of procedural failures that led to the original emergency filing.

This is not personal — it is procedural, and rooted in concern for public safety. The Cass County Clerk’s request for security, and the Judge’s indifference to that request, constitutes an emergency by any reasonable standard. To see a problem and ignore it is the birthplace of disaster. If your office does not respond, then emergency protocol will advance the matter to the Attorney General, which is not preferable, but necessary.

Today, please acknowledge that this correspondence has been received. A simple reply of “Received” will be sufficient.

Attached is a copy of an emergency motion filed in the 353rd District Court.

Respectfully,

Cliff Stephens

Linden, Tx 75563

Exhibit C.2 OCA Response

From: Nick P. Barsetti, Court Security Specialist

To: Cliff Stephens

Date: Friday, May 10, 2025

Time: 6:13 AM

Email: Nicholas.barsetti@txcourts.gov

Title: Court Security Specialist, Court Security Division

Agency: Texas Office of Court Administration

Good Morning Mr. Stephens,

I commend you on your attention to public safety. As I’m sure you can appreciate, the OCA Court Security Division does not publicly comment on the security posture of individual courts.

Thank you for bringing your concerns to our attention.

Have a great weekend,

Nick

Exhibit C.3 – Petitioner's Follow-Up Communication to the Office of Court Security

Date: Friday, May 10, 2025

Time: 3:53 PM CST

From: Cliff Stephens

To: courtsecurity@txcourts.gov

Primary Recipient:

Mr. Hector Gomez

Security Director

Court Security Division

Office of Court Administration CC Recipients:

- 353.submission@traviscountytx.gov
- terri.shepherd@co.gregg.tx.us
- nicholas.barsetti@txcourts.gov

Attachment:

Supplemental Notice of Conditional Withdraw

Dear Mr. Gomez,

Thank you for your office’s response. Efforts are now underway to turn the ship around.

Please make your office aware that formal de-escalation efforts have begun.

The 353rd District Court in Travis County currently holds an active emergency petition concerning the absence of certified, armed security at the Cass County Courthouse. I have filed a Supplemental Notice of Conditional Withdrawal of Emergency Relief (attached), offering to lift the emergency designation only upon confirmation from the Office of Court Administration’s Court Security Division that competent, certified courthouse security personnel are in place and active.

As stated in that filing, such confirmation is expected to be relayed to the Court through its briefing attorney or staff (CC’d). However, given the scope of the situation and the level of institutional silence that preceded your involvement, it’s clear that only a direct confirmation from you, as Security Director, will satisfy the emergency condition. A reply from delegated staff will not be recognized as fulfillment of the required standard for de-escalation.

Your confirmation does not simply resolve a court filing; it closes a live, documented security breach at a courthouse where certified protection has been absent and repeated requests for relief have been ignored.

I have no intention of prolonging emergency conditions unnecessarily. I have created a clear offramp. Your office is the final link in that chain.

Please acknowledge receipt of this follow-up.

Respectfully,

Cliff Stephens

Linden, Texas 75563

Exhibit C.4 – Screenshots of Email Communications with the Office of Court Security

This exhibit contains visual documentation of all email correspondence between Petitioner and the Texas Office of Court Security. The included screenshots verify

C.1a

Outlook

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**Supplemental Notice of Conditional Withdrawal of Emergency Relief**

---

**From**Cliff Stephens <cliff@anexso.life>
**Date**Fri 5/9/2025 3:33 PM
**To** courtsecurity@txcourts.gov <courtsecurity@txcourts.gov>
**Cc** 353 Submission <353.submission@traviscountytx.gov>; Terri Shepherd <terri.shepherd@co.gregg.tx.us>; Nicholas.barsetti@txcourts.gov <Nicholas.barsetti@txcourts.gov>
**Bcc** Cliff Stephens <cliff@anexso.life>

1 attachment (35 KB)

Supplemental Notice of Conditional Withdrawal of Emergency Relief.pdf;

Mr. Hector Gomez

Security Director

Court Security Division

Office of Court Administration

Dear Mr. Gomez,

Thank you for your office's response. Efforts are now underway to turn the ship around.
Please make your office aware that formal de-escalation efforts have begun.

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As stated in that filing, such confirmation is expected to be relayed to the Court through its briefing attorney or staff (CC'd). However, given the scope of the situation and the level of institutional silence that preceded your involvement, *it's clear that only a direct confirmation from you, as Security Director, will satisfy the emergency condition*. A reply from delegated staff will not be recognized as fulfillment of the required standard for de-escalation.

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I have no intention of prolonging emergency conditions unnecessarily. I have created a clear offramp. Your office is the final link in that chain.

Please acknowledge receipt of this follow-up.

Respectfully,
Cliff Stephens
Linden, Texas 75563

Nicholas.barsetti@txcourts.gov

CourtSecurity@txcourts.gov

353.Submission@traviscountytx.gov

Terri.Shepherd@co.gregg.tx.us

C.1b

Outlook

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RE: Urgent – SB 42 Courthouse Security Breach: Cass County (Please Confirm Receipt Today)

---

FromCourt Security <CourtSecurity@txcourts.gov>
DateFri 5/9/2025 8:13 AM
To Cliff Stephens <cliff@anexso.life>

Good Morning Mr. Stephens,

I commend you on your attention to public safety.  As I'm sure you can appreciate, the OCA Court Security Division does not publicly comment on the security posture of individual courts.

Thank you for bringing your concerns to our attention.

Have a great weekend,

Nick

**Nick P. Barsetti**, Court Security Specialist
Court Security Division | Texas Office of Court Administration
205 West 14th Street, Suite 600 | Austin, Texas 78701
Main: 512-463-1679 | Fax: 512-463-1648
Nicholas.barsetti@txcourts.gov

---

**From:** Cliff Stephens <cliff@anexso.life>
**Sent:** Thursday, May 8, 2025 11:02 PM
**To:** Court Security <CourtSecurity@txcourts.gov>
**Subject:** Urgent – SB 42 Courthouse Security Breach: Cass County (Please Confirm Receipt Today)

You don't often get email from cliff@anexso.life. Learn why this is important

CAUTION: This email originated from outside of the Texas Judicial Branch email system. DO NOT click links or open attachments unless you expect them from the sender and know the content is safe.

C.1c

Outlook

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**Supplemental Notice of Conditional Withdrawal of Emergency Relief**

---

**From**Cliff Stephens <cliff@anexso.life>
**Date**Fri 5/9/2025 3:33 PM
**To** courtsecurity@txcourts.gov <courtsecurity@txcourts.gov>
**Cc** 353 Submission <353.submission@traviscountytx.gov>; Terri Shepherd <terri.shepherd@co.gregg.tx.us>; Nicholas.barsetti@txcourts.gov <Nicholas.barsetti@txcourts.gov>
**Bcc** Cliff Stephens <cliff@anexso.life>

1 attachment (35 KB)

Supplemental Notice of Conditional Withdrawal of Emergency Relief.pdf;

Mr. Hector Gomez

Security Director

Court Security Division

Office of Court Administration

Dear Mr. Gomez,

Thank you for your office's response. Efforts are now underway to turn the ship around.
Please make your office aware that formal de-escalation efforts have begun.

The 353rd District Court in Travis County currently holds an active emergency petition concerning the absence of certified, armed security at the Cass County Courthouse. I have filed a Supplemental Notice of Conditional Withdrawal of Emergency Relief (attached), offering to lift the emergency designation only upon confirmation from the Office of Court Administration's *Court Security* Division that competent, certified courthouse security personnel are in place and active.

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Your confirmation does not simply resolve a court filing; it closes a live, documented security breach at a courthouse where certified protection has been absent and repeated requests for relief have been ignored.

I have no intention of prolonging emergency conditions unnecessarily. I have created a clear offramp. Your office is the final link in that chain.

Please acknowledge receipt of this follow-up.

Respectfully,
Cliff Stephens
Linden, Texas 75563

Nicholas.barsetti@txcourts.gov

CourtSecurity@txcourts.gov

353.Submission@traviscountytx.gov

Terri.Shepherd@co.gregg.tx.us

5/13/2025 11:06 PM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Stephanie Garza

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

Cliff Stephens

PETITIONER

v.

TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

and CASS COUNTY

RESPONDENTS

353rd JUDICIAL DISTRICT

# Notice of Systemic Emergency Response Failure Under the FAA-Recognized DECIDE Model

TO THE HONORABLE JUDGE OF SAID COURT:

Petitioner submits this Notice to alert the Court to a systemic failure in emergency response following the documented security breach at the Cass County Courthouse. To assist the Court in evaluating the seriousness of this failure, Petitioner applies the DECIDE model, a nationally recognized emergency decision-making framework developed by the Federal Aviation Administration, as outlined in Section 10 of Advisory Circular 60-22 (Aeronautical Decision-Making, December 13, 1991).

Though designed for aviation, the DECIDE model is widely used in safety-critical fields—including emergency medicine, law enforcement, and homeland security—to prevent hesitation where delay leads to harm. It outlines six steps: Detect, Estimate, Choose, Identify, Do, and Evaluate.

This model is not theoretical. It exists to prevent paralysis in the face of known threats. Petitioner respectfully submits that the institutional response to this courthouse breach fails every step of that model. The officials involved were notified, empowered, and silent. The Court is now the last remaining institution in a position to respond.

Respectfully submitted,

Cliff Stephens

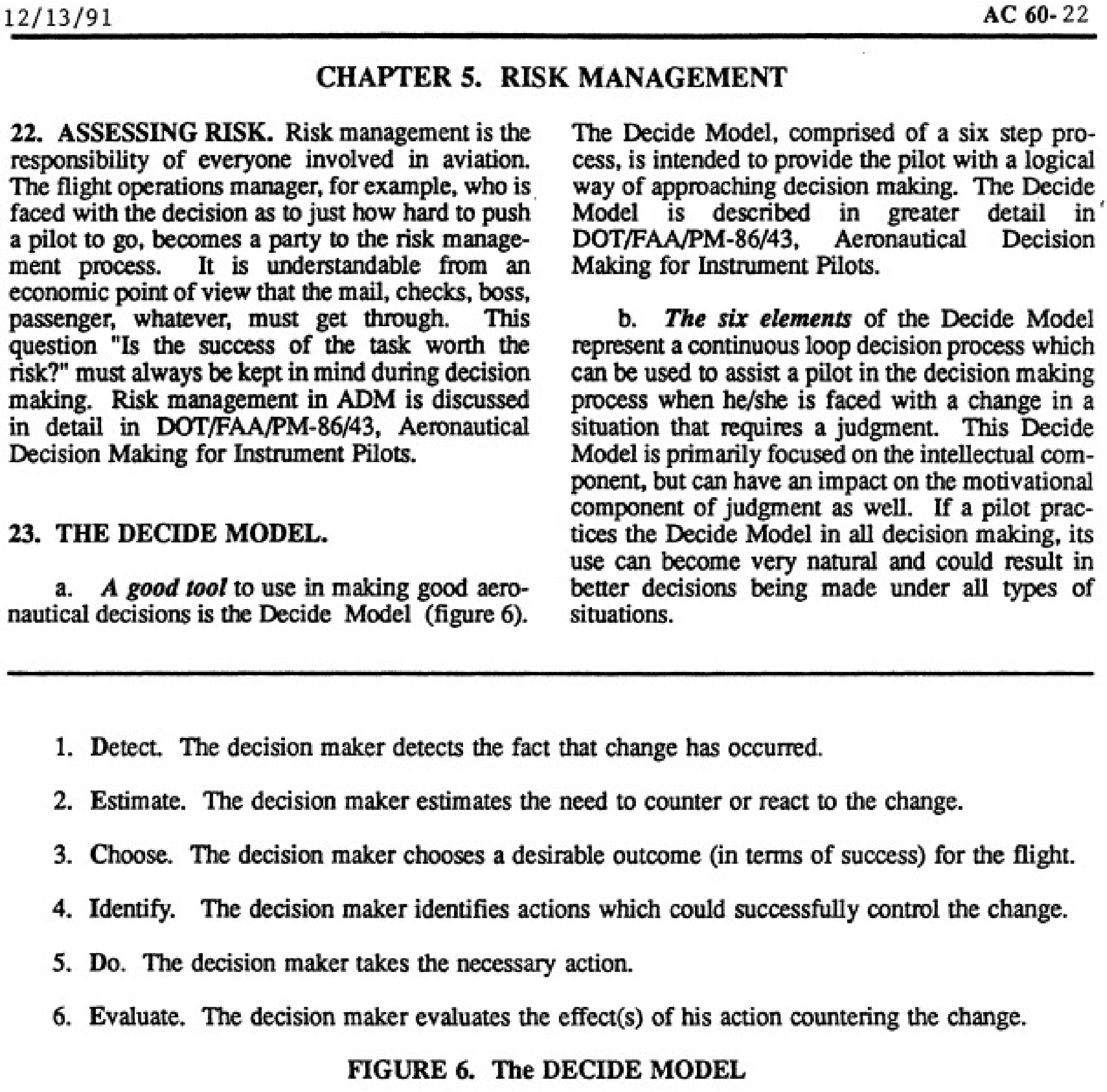
Linden, Texas

May 13, 2025

EXHIBIT D

# Institutional Failure Under the DECIDE Emergency Response Model

Federal Aviation Administration, Advisory Circular AC 60-22, Aeronautical Decision-Making, Chapter 5, Section 23: “The DECIDE Model” (Dec. 13, 1991).



12/13/91 AC 60-22

## CHAPTER 5. RISK MANAGEMENT

**22. ASSESSING RISK.** Risk management is the responsibility of everyone involved in aviation. The flight operations manager, for example, who is faced with the decision as to just how hard to push a pilot to go, becomes a party to the risk management process. It is understandable from an economic point of view that the mail, checks, boss, passenger, whatever, must get through. This question "Is the success of the task worth the risk?" must always be kept in mind during decision making. Risk management in ADM is discussed in detail in DOT/FAA/PM-86/43, Aeronautical Decision Making for Instrument Pilots.

### 23. THE DECIDE MODEL.

a. ***A good tool*** to use in making good aeronautical decisions is the Decide Model (figure 6). The Decide Model, comprised of a six step process, is intended to provide the pilot with a logical way of approaching decision making. The Decide Model is described in greater detail in DOT/FAA/PM-86/43, Aeronautical Decision Making for Instrument Pilots.

b. ***The six elements*** of the Decide Model represent a continuous loop decision process which can be used to assist a pilot in the decision making process when he/she is faced with a change in a situation that requires a judgment. This Decide Model is primarily focused on the intellectual component, but can have an impact on the motivational component of judgment as well. If a pilot practices the Decide Model in all decision making, its use can become very natural and could result in better decisions being made under all types of situations.

1. Detect. The decision maker detects the fact that change has occurred.
2. Estimate. The decision maker estimates the need to counter or react to the change.
3. Choose. The decision maker chooses a desirable outcome (in terms of success) for the flight.
4. Identify. The decision maker identifies actions which could successfully control the change.
5. Do. The decision maker takes the necessary action.
6. Evaluate. The decision maker evaluates the effect(s) of his action countering the change.

FIGURE 6. The DECIDE MODEL

# Institutional Failure Under the DECIDE Emergency Response Model

## FAA Advisory Circular 60-22 (Aeronautical Decision-Making)

The following analysis applies the DECIDE model, as presented in FAA Advisory Circular 60-22, to the institutional response (or lack thereof) to the known security breach at the Cass County Courthouse. Though designed for aviation emergencies, the DECIDE model is recognized across federal agencies as a foundational framework for rapid, high-stakes decision-making.

This exhibit documents how each step of the model was either bypassed or failed- and how that failure has left the Cass County Courthouse unprotected and the public at risk.

## D – Detect the Threat

The threat is not theoretical, delayed, or isolated. It is institutional and present every day the courthouse operates without security.

It is the continued exposure of the Clerk and her staff inside a government building with no armed protection, in violation of statutory expectations under SB 42 (Texas Court Security Act).

The threat is not tied to an attacker- it is tied to the absence of defense, in a building that serves as a symbol of the law, and is therefore a permanent target.

## E – Estimate the Need to Counter the Threat

Once the threat is detected, the next step is to determine how urgently it must be addressed. In this case, the need to respond is not optional- it is immediate and structural.

A courthouse without security is not a dormant threat. It is a daily operational hazard. The risk is not hypothetical- it exists every moment the building remains open, unguarded, and known to the public as a government facility. The Texas Court Security Act (SB 42) was enacted because courthouses have been attacked in

Texas. The Oklahoma City Attack on the Murry Building, referenced in prior correspondence, was not an attack directed towards any individual- it was directed towards a symbolic institution. Government institutions are not neutral structures. They are targets.

The need to counter the threat is not a policy debate- it is a statutory duty. There is no version of lawful government that permits the Clerk to remain inside a building without protection while every other official retreats.

## C – Choose to Act and Define the Desired Outcome

Choosing to act means choosing clarity over hesitation. In this case, the desired outcome is not complex. It requires no legislation, no new funding, and no bureaucratic delay.

The solution is simple:

> Station a deputy at the Cass County Courthouse.

That outcome protects the Clerk. It stabilizes the courthouse. It restores public confidence. It signals that Texas institutions still defend their own - before an incident, not after.

The failure was not in identifying options. The failure was in refusing to act when the outcome was obvious, accessible, and overdue.

## I – Identify the Action Needed

The action needed was- and remains- painfully simple:

- Call the Cass County Courthouse.
- Confirm whether the Clerk and her staff are operating without armed security.
- Verify the presence or absence of security.
- If the courthouse is unguarded, acknowledge it as a live exposure under SB 42.

  Coordinate with the Sheriff.

  Request the temporary posting of a deputy to protect the Clerk's office.

  If security is already in place, document that fact and close the issue transparently.

No such call was made.

No such verification occurred.

No such coordination took place.

Despite direct filings, confirmed notice, and administrative awareness, the simplest action was ignored. This is not oversight. It is deliberate institutional avoidance.

## D – Do the Necessary Action

Nothing was done.

The Clerk and her staff remain exposed. The courthouse remains unguarded. The public remains unaware. This step in the model marks the clearest point of failure: not in confusion, not in uncertainty, but in refusal.

## E – Evaluate the Effect of the Action

Evaluation only follows action. But in this case, no action was taken- so there is nothing to evaluate except the consequence of inaction.

Had a deputy been stationed, the threat would be mitigated.

Had a phone call been made, the risk could be confirmed or dismissed.

Had the courthouse been verified as secure, the matter could be resolved.

Instead, the Court is left evaluating delay, institutional silence, and a known threat left unaddressed.

The DECIDE model assumes that failure to act in time may result in loss of control, loss of life, or irreversible consequence. In this case, that consequence is not hypothetical- it is present, persistent, and compounding every day the courthouse remains unguarded.

## Conclusion

The DECIDE model offers a blueprint for emergency response. The failure to follow it here- despite confirmed notice, available action, and simple remedies- exposes a system that has frozen in place while danger accumulates.

The Court is now the only remaining institution in the chain with the ability to respond.

5/13/2025 2:11 PM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Candy Schmidt

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

Cliff Stephens

PETITIONER

v.

TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

and CASS COUNTY

RESPONDENTS

353rd JUDICIAL DISTRICT

# MEMORANDUM REGARDING PUBLIC INFORMATION REQUEST AND JUDICIAL REVIEW

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## Public Information Request – Delivery Log

Delivery Details:

| | |
|---|---|
| Date of Delivery: | CRS<br>~~12-13-2025~~ 5-13-2025 |
| Time of Delivery: | 09:20 |
| Name of Person Receiving: | SHARON BROWN |
| Location (Office, Floor, etc.): | CASS COUNTY COURTHOUSE |
| Notes or Observations: | |

Signature of Delivering Party: Cliff Stephens

Printed Name: Cliff Stephens

5/16/2025 4:04 PM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Ana Lopez

# ONE SHEPHERD TO ANOTHER

Submitted for Judicial Awareness

With Optional Referral to the Texas Supreme Court

May 2025

Relating to Cause No. D-1-GN-25-002397

353rd District Court of Travis County

Cliff Stephens

*Petitioner submits this memorandum for judicial awareness. It concerns an ongoing security failure at the Cass County Courthouse and is entered to preserve the record.*

The breach stems from the District Judge of the 5th Judicial District refusing to return to his post in the Cass County Courthouse, the legal and historic county seat.

His chambers are empty. The Clerk and her staff are still there, doing their jobs, without any protection. By working from a remote administrative building, the judge has effectively moved the county seat without authority, left the courthouse unguarded, and put his staff at risk.

The Court doesn’t have to act, but it may choose to forward this to the Texas Supreme Court or another body. A referral would help the issue move forward and reduce Petitioner’s travel burden, but that’s not the reason for this filing.

**W**ould you mind after your sheep?

Specifically the ones in your courthouse.

The Texas Supreme Court is on notice.

There is no security stationed at the Cass County Courthouse.

The breach is real.

The breach is active.

The breach is now yours.

There is one courthouse per county.

Cass has two.

One is guarded.

One is not.

How can it be that a body split

be a fully functioning body?

The oldest operational courthouse in Texas.

Six million dollar restoration, done.

Elevators go to every floor.

Empty offices on every floor.

Empty buildings on the city square.

Buildings they were *meant* to return to.

Your Clerk is alone. The judge abandoned the building.

There is no security in the Cass County Courthouse.

“Oh, you still own the buildings,”

They sit empty.

They sit perfectly capable

just empty.

How can it be that a body divided
be a fully functioning body?

Somebody say “Trash?”
*Pray not!*
Too much for your house to bear.
For there *weren’t any* trash cans around your courthouse today.
They took them down the road to the metal shed.
The Second Cass County Courthouse.
The temporary facility
the metal shed.

Somebody say, “Grace?”
None found in a metal shed.
Somebody say, “Truth?”
No windows in a metal shed.
Come now.
What about your “Authority?”
As flimsy as a metal shed.
What’s this “Responsibility?”
Please, one shepherd to another
mind your sheep.

Again, there it is

they demand  “Dignity”

What of “Wisdom?” , “Security?”

*Absent!*

S*it down!*

*Praise be!*

*T*o the Cass County Clerk.

Tough as nails’ she is

and her staff.

They face the public everyday.

Been there thirty years’ I heard.

She hasn’t left.

*Why?* Because the courthouse is open.

Fully operational and unsecured.

How can it be that a body divided

be a fully functioning body?

Notice, to your right there’s a Bible.
And if there’s not, why not?
Today it’s going to be known.
This Court is going to be known.
Not by the words it conjures
but by the action it takes.

Inaction is now ignorance. Have you not yet noticed?
There is no security in the Cass County Courthouse.

One shepherd to another
mind your sheep.
If you do that
I can go back to mine.

Respectfully submitted,

Cliff Stephens

Linden, Tx 75563

cmlm
CR

2

# CITATION
# THE STATE OF TEXAS
## CAUSE NO. D-1-GN-25-002397

CLIFF STEPHENS

, PLAINTIFF(S)

vs.

CASS COUNTY; TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

, DEFENDANT(S)

TO: **CASS COUNTY**
**BY SERVING JUDGE TRAVIS RANSOME**
**PO BOX 825**
**LINDEN TX 75563**

Defendant, in the above styled and numbered cause:
**YOU HAVE BEEN SUED. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 A.M. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org."**

Attached is a copy of the **EMERGENCY PETITION FOR WRIT OF MANDAMUS** in the above styled and numbered cause, which was filed on **APRIL 07, 2025** in the **353RD DISTRICT COURT** of Travis County, Austin, Texas.

ISSUED AND GIVEN UNDER MY HAND AND SEAL of said Court at office, **APRIL 25, 2025**

RECEIVED
2025 APR 25 PM 12:04

REQUESTED BY:
**CLIFF STEPHENS**
**981 CR 1456**
**LINDEN, TX 75563**
Ph# (903) 601-0095
Email: Cliff@aneyso.life.

Velva L. Price
Travis County District Clerk
Civil Family Court Facility (CFCF)
1700 Guadalupe Street P.O. Box 679003 (78767)
Austin TX 78701

**Selina Hamilton, Deputy**

## RETURN

Came to hand on the _____ day of _______________, ________ at ________ o'clock ____M., and executed at _______________________________________ within the County of ____________________ on the _____ day of _______________, ________ at ________ o'clock ____M., by delivering to the within named _______________________________________, each in person, a true copy of this citation together with the **EMERGENCY PETITION FOR WRIT OF MANDAMUS** accompanying pleading, having first attached such copy of such citation to such copy of pleading and endorsed on such copy of citation the date of delivery.

Service Fee: $ ________

Carlos B. Lopez
Constable Pct. 5, Travis County, Texas
Sheriff/Constable / Authorized Person

Sworn to and subscribed before me this the _____ day of _______________, ________.

By: ___________________________________

___________________________________
Printed Name of Server

___________________________ County, Texas

___________________________________
Notary Public, THE STATE OF TEXAS
D-1-GN-25-002397

**CONSTABLE**

COMPLETED

E-MAILED
5/20/25

Cause No.: D1GN25002397

|  |  |  |
|---|---|---|
|  | {} | In the 353rd District Court |
| Plaintiff: | {} | TRAVIS County |
| CLIFF STEPHENS | {} |  |

Defendant:

CASS COUNTY ET AL

## Officer's Return

Came to hand April 25,2025 at 12:04 P.M. and executed in CASS County, Texas, on May 06,2025 at 5:00 P.M. by delivering to CASS COUNTY, by delivering to Judge Travis Ransome AND SIGNED BY SARAH ALEXANDER at PO BOX 825 LINDEN TX 75563, by certified mail, number 9589 0710 5270 1748 8311 06 return receipt requested, a true copy of the Citation together with a copy of the EMERGENCY PETITION FOR WRIT OF MANDAMUS.

Carlos B. Lopez,
Travis County Constable Precinct 5
Travis County, Texas

by: ______________________
**Felix Garza** Deputy

## U.S. Postal Service™
## CERTIFIED MAIL® RECEIPT
*Domestic Mail Only*

For delivery information, visit our website at *www.usps.com®*.

OFFICIAL USE

9589 0710 5270 1748 6311 06

Certified Mail Fee
$

Extra Services & Fees *(check box, add fee as appropriate)*
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

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$

Postmark
Here

APR 2 5 2025

D1GN25002397-2
CASS COUNTY
JUDGE TRAVIS RANSOME
PO BOX 825
LINDEN TX 75563

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

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**SENDER: *COMPLETE THIS SECTION***

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

D1GN25002397-2
CASS COUNTY
JUDGE TRAVIS RANSOME
PO BOX 825
LINDEN TX 75563

9590 9402 8476 3186 2690 35

2. Article Number (Transfer from service label)

9589 0710 5270 1748 6311 06

***COMPLETE THIS SECTION ON DELIVERY***

A. Signature
X Sarah Alexander
☐ Agent
☑ Addressee

B. Received by *(Printed Name)*
Sarah Alexander

C. Date of Delivery
5/1/25

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
- ☐ Adult Signature
- ☑ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Insured Mail Restricted Delivery (over $500)
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

5/27/2025 1:36 PM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Susan Schmidt

## CAUSE NO. D-1-GN-25-002397

| | | |
|---|---|---|
| **CLIFF STEPHENS,<br>PLAINTIFF** | | |
| | § | **IN THE DISTRICT COURT** |
| **VS.** | § | |
| | § | **353RD JUDICIAL DISTRICT** |
| **CASS COUNTY; TEXAS<br>DEPARTMENT OF EMERGENCY<br>MANAGEMENT,<br>DEFENDANTS** | §<br>§ | **TRAVIS COUNTY, TEXAS** |

## DEFENDANT'S ORIGINAL ANSWER AND PLEA TO THE JURISDICTION

**TO THE HONORABLE JUDGE OF SAID COURT:**

**NOW COMES DEFENDANT, CASS COUNTY, TEXAS,** and files this answer to Plaintiff's Emergency Petition for Writ of Mandamus and Request for Expedited Relief.

## I. PLEA TO THE JURISDICTION AND MOTION TO DISMISS

1. Defendant asks the Court to dismiss plaintiff's petition for lack of jurisdiction.

### Introduction

2. Plaintiff sued defendant asking this Court to issue a writ of mandamus ordering this defendant to relocate the county judge, judicial personnel, and associated infrastructure back to the Cass County Courthouse, to take immediate and affirmative steps to restore armed security at the courthouse, and to provide written certification of compliance with those orders.

## Background

3. Plaintiff's petition alleges that the Cass County Courthouse has been operating without security and has been abandoned. Plaintiff's Pet. 2-3. Plaintiff also alleges that that the county judge relocated from the courthouse to a "secondary offsite facility." Plaintiff's Pet. 4. Plaintiff claims that the alleged lack of security is "in direct violation of state law." *Id.*

## Argument & Authorities

4. The purpose of a plea to the jurisdiction is to dismiss a cause of action without regard to whether the claim has merit. *Farmers Tex. Cty. Mut. Ins. Co. v. Beasley*, 598 S.W.3d 237, 241 (Tex. 2020); *Bland Indep. Sch. Dist. v. Blue*, 34 S.W.3d 547, 554 (Tex. 2000). The Court must decide whether plaintiff has affirmatively demonstrated this Court's jurisdiction to hear this suit, based on the facts alleged by plaintiff and, when necessary to resolve jurisdictional facts, on evidence submitted by the parties. *See City of Austin v. Powell*, 704 S.W.3d 437, 447–48 (Tex. 2024); *Nettles v. GTECH Corp.*, 606 S.W.3d 726, 734 (Tex. 2020); *Alamo Heights Indep. Sch. Dist. v. Clark*, 544 S.W.3d 755, 770–71 (Tex. 2018); *Tex. Dep't of Parks & Wildlife v. Miranda*, 133 S.W.3d 217, 226–27 (Tex. 2004); *Bland Indep. Sch. Dist.*, 34 S.W.3d at 555.

5. This Court does not have jurisdiction over this suit because there are no justiciable issues that the Court can resolve. A party seeking mandamus relief "must show that he has a justiciable interest in the subject matter in litigation, either in his

own right or in a representative capacity." *Porth v. Currie*, 613 S.W.2d 534 (Tex. App.—Tyler 1981, no writ). Dismissal of a petition for a writ of mandamus is proper where the party seeking mandamus has no justiciable interest. *Ne. Tarrant Cnty. Water Auth. v. Trinity River Auth.*, 370 S.W.2d 746 (Tex. App.—Fort Worth 1963, no writ). A citizen may bring a mandamus action to procure the enforcement of a public duty when the issue at hand is "one of public right." *Wolf v. Petty*, 414 S.W.2d 539 (Tex. App.—Fort Worth 1967, no writ). However, when there is no clear public right, a citizen cannot maintain a suit to "compel a public officer to perform a function due to the government as such in which the [citizen] has no private interest different from that of the public generally." *Julian v. Carrollton Indep. Sch. Dist.*, 346 S.W.2d 189 (Tex. App.—Texarkana 1961, no writ).

6. Here, Plaintiff has failed to show that he has a justiciable interest in the location of the county courthouse or in how the courthouse or any other county building is secured. Plaintiff has not shown that the general public has any right, statutory or otherwise, regarding a county courthouse's location or security. Plaintiff has also not plead any facts that show that he was uniquely injured by any alleged violations regarding those matters. Because Plaintiff cannot show that this is a matter of public right, or that he has an interest apart from that of the general public, his petition should be dismissed for want of a justiciable interest.

### Conclusion

7. Because it is clear from Plaintiff's pleadings that the Court does not have jurisdiction to hear Plaintiff's mandamus action, the Court should dismiss Plaintiff's petition.

### Prayer

8. For these reasons, Defendant asks the Court to grant Defendant's motion to dismiss Plaintiff's petition for lack of subject-matter jurisdiction.

## II. GENERAL DENIAL

1. Defendant generally denies the allegations in Plaintiff's petition and demands strict proof of all allegations made by Plaintiff.

## III. MOTION TO TRANSFER VENUE

Defendant respectfully moves for this Court to transfer venue to the 5th District Court, Cass County, Texas, and would show the Court the following:

2. Mandatory venue of this action in another county is prescribed by one or more specific statutory subdivisions, specifically Texas Civil Practice and Remedies Code, Section 15.015.

3. The factual basis for the transfer is that this defendant is Cass County, Texas, yet this action is currently pending in Travis County, Texas.

4. The legal basis for the transfer is that Texas Civil Practice and Remedies Code, Section 15.015, provides that an action "against a county shall be brought in that county."

5. Accordingly, venue is proper and mandated in Cass County, Texas.

6. Therefore, the Defendant prays the Court to grant this Motion to Transfer Venue and that the cause be transferred to Cass County, Texas.

## IV. SPECIAL EXCEPTIONS

1. Defendant specially excepts to Plaintiffs pleading because Plaintiff did not verify it. A writ for mandamus must be verified

2. Defendant specially excepts to Plaintiffs pleading because Plaintiff did not precisely state facts to show that Plaintiff is entitled to the remedy sought. *Montague Cnty. v. White,* 260 S.W. 907 (Tex. App.—Fort Worth 1924, no writ).

3. Defendant specially excepts to Plaintiffs pleading because Plaintiff did not precisely state facts to show that it is the clear duty of Defendant to perform the actions demanded. *Montague Cnty. v. White,* 260 S.W. 907 (Tex. App.—Fort Worth 1924, no writ).

## V. PRAYER

Therefore, Defendant, Cass County, Texas, respectfully requests that the Court grant his plea to the jurisdiction and motion to dismiss and dismiss Plaintiffs claims with prejudice for purposes of refiling, or alternatively, that the Court grants

Defendant's motion to transfer venue and that venue be transferred to Cass County, Texas, or alternatively, that Plaintiff is awarded nothing by this suit, and that Defendant recover all costs, and any other relief to which Defendant is entitled.

Respectfully submitted,

Courtney Shelton

Courtney Shelton
Criminal District Attorney
TBN: 24043354
P.O. Box 839
Linden, TX 75563
Phone: (903) 756-7541
Fax: (903) 756-3210

# VERIFICATION

Before me, the undersigned notary public, on this day personally appeared Travis Ransom, Cass County Judge, known to me, who after being duly sworn, upon his oath stated that he is the defendant in the above-captioned cause; that he has read the foregoing document; and that every statement contained therein is true and correct within his personal knowledge, except as to those statements contained herein that are stated on information and belief, which he believes to be true.

________________________
Affiant

SWORN TO AND SUBSCRIBED before me on this, the 27 day of May, 2025.

SHARON BROWN
Notary ID #5212637
My Commission Expires
January 25, 2026

Sharon Brown
Notary Public, State of Texas

My commission expires:
1\25\2026

## Certificate of Service

As the attorney of record for Defendant, I certify that on May 27, 2025, a true and correct copy of the preceding document was served on Plaintiff, Cliff Stephens, at 981 CR 1456, Linden, TX 75563, by depositing it in the United States mail, certified with return receipt requested.

Courtney Shelton

Courtney Shelton
Cass County Criminal District Attorney
Attorney for Defendant, Cass County

5/27/2025 1:53 AM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Susan Poodiack

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

Cliff Stephens

PETITIONER

V

TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

and CASS COUNTY

RESPONDENTS

353rd JUDICIAL DISTRICT

# AMENDED PRAYER FOR RELIEF

TO THE HONORABLE JUDGE OF SAID COURT:

Petitioner submits this Amended Prayer for Relief in support of the previously filed emergency matter concerning the operational failure of the Cass County Courthouse. Petitioner does not seek punitive action, but respectfully asks this Court to certify the ongoing procedural breakdown.

## 1. The Courthouse is Not in Compliance with State Security Law (SB 42)

There is no evidence of a functioning Courthouse Security Committee, an active security risk assessment, or the permanent presence of security personnel at the courthouse.

These conditions violate the requirements of Senate Bill 42, the Judge Julie Kocurek Judicial and Courthouse Security Act.

## 2. No Publicly Available Record of Reassignment Exists

As of this filing, there is no publicly accessible record in the Commissioners Court minutes, the clerk’s archive, or elsewhere showing that court functions were formally reassigned to an alternate facility.

If such a record exists, it has not been published, disclosed, or made available for review.

Without this, any deviation from the courthouse lacks visible legal authority. A formal public information request may be submitted to confirm whether any such documentation exists. If it does not, then the absence of process becomes a matter of record.

### 3. The Courthouse Was Never Lawfully Closed

The Cass County Courthouse remains publicly owned, publicly maintained, and officially listed as active. There is no record of a vote, declaration, or emergency order decommissioning the building. By law and public perception, it remains the official seat in Cass County.

Petitioner asks that these conditions be acknowledged for what they are: unresolved matters of record, subject to confirmation or correction by the parties in possession of the relevant documentation.

Respectfully,

Cliff Stephens

Linden, Tx 75563

5/27/2025 1:17 AM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Norma Ybarra

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

5/27/2025

Cliff Stephens

PETITIONER

V

TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

and CASS COUNTY

RESPONDENTS

353rd JUDICIAL DISTRICT

# SUPPLEMENTAL STATEMENT OF FACTS

TO THE HONORABLE JUDGE OF SAID COURT:

What began as a petition to address a public emergency has evolved into a clearer understanding. The courthouse was not abandoned in one motion. Over a five-year renovation period, compounded by a global pandemic and multiple leadership transitions, the Cass County Courthouse became procedurally invalid.

Today, the newly elected Cass County Judge presides over a building he did not vacate. The newly elected 5th District Judge oversees a docket he did not relocate. And the Cass County Commission - composed of officials who did not occupy their seats when the courthouse was fully functional - now governs a structure they never abandonded.

## I. Venue Integrity and Procedural Validity:

To lawfully reassign the county seat or relocate judicial operations from the Cass County Courthouse, one of several formal actions may have occurred. The Cass County Commissioners Court may have voted to declare the courthouse unusable or unsuitable for judicial proceedings, with that vote recorded in public minutes and naming an alternate facility. Alternatively, a security risk assessment may have been conducted and reviewed by the Courthouse Security Committee, justifying the withdrawal under the mandates of Senate Bill 42. Or, the presiding district judge or regional administrative judge may have issued a judicial order authorizing the relocation based on emergency, structural, or operational necessity, with that order entered into public record and made available for inspection.

If these steps were never taken, or if the records justifying them were not properly created, maintained, and made public, then no lawful reassignment occurred - and the Cass County Courthouse remains the legal and authoritative county seat. Any judicial or administrative action conducted from the metal building is therefore outside the county seat, and outside the bounds of lawful venue. If the court has acted from a location never legally declared or designated as the seat of justice, then every ruling, order, or judgment issued from that site may be procedurally defective, vulnerable to challenge, and subject to nullification.

## II. Terms of Court and the Absence of Venue

Under Texas Government Code section 24.105, the judge of the 5th Judicial District Court is required to hold court in Cass County on the first Mondays in February, May, August, and November.

If Cass County had lawfully reassigned court operations from the courthouse to another facility, that decision would have been formally recorded, publicly accessible, and authorized by statute. It would appear in a resolution by the Commissioners Court, a security risk assessment under SB 42, or a judicial directive issued through proper channels - much like it has been lawfully recorded that the 5th Judicial District Court holds terms in Texarkana rather than New Boston. That designation is not informal; it is statutory, recorded, and public.

If there exists any similar statutory designation that authorizes court to be held outside the Cass County Courthouse, then it should appear in the same manner -in law, in record, and in public view. As of this filing, no such designation has been produced. And unless it is shown, the legal venue remains fixed at the courthouse in Linden.

## III. Legal Status of the Courthouse Remains Intact

The Cass County Courthouse has never been formally closed or been reassigned. It remains county property and is still in active use by elected officials - including the Cass County Clerk, whose official address remains listed at the courthouse.

In contrast, the 5th District Judge now lists a P.O. Box as his permanent address, with no physical courtroom or public access. This split is not procedural oversight - it is structural abandonment. The clerk stayed where the law placed her. The court did not. The result is a breakdown in judicial presence and a growing question of whether venue still legally exists.

Remarks:

It’s not the Petitioner’s intent to nullify the work conducted by Cass County officials during their time in the metal building. The consequences of this situation - should they arise - are not the product of this filing. They are the result of sustained disregard for public interest and legal process.

Even if the worst-case scenario unfolds - and the acts, filings, and records generated during this period are deemed null and void - it would pale in comparison to the consequences that could arise from failing to secure a courthouse.

The same officials who ignore a direct request from the County Clerk for basic security are the same officials who would let a minor oversight - like the failure to follow lawful process - undo the work of years.

Respectfully,

Cliff Stephens

Linden, Tx 75563

6/2/2025 4:54 AM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Susan Schmidt

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

Cliff Stephens

PETITIONER

V

TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

and CASS COUNTY

RESPONDENTS

353rd JUDICIAL DISTRICT

# *REBUTTAL TO RESPONDENTS MOTION TO DISMISS*

TO THE HONORABLE JUDGE OF SAID COURT:

Plaintiff respectfully submits this response to Defendant’s Motion to Dismiss Plaintiff’s Emergency Petition for Writ of Mandamus and Request for Expedited Relief. Defendant’s motion, grounded solely in a jurisdictional challenge, fails to address the emergency nature of the petition, lacks substantive evidence to negate the ongoing public safety risk, and disregards procedural obligations under Texas law. Plaintiff asserts this Court’s full authority to hear and resolve this matter and urges denial of Defendant’s motion for the reasons set forth below.

## I. DEFENDANT’S FAILURE TO ADDRESS THE EMERGENCY

Defendant’s motion omits any reference to the emergency nature of Plaintiff’s petition, failing to mention the word “emergency” or engage with the urgent public safety concerns raised. This absence renders the motion incomplete and unresponsive to the immediate threat alleged. Defendant cites case law unrelated to emergency procedures, offering no factual assurance that the risks outlined in the petition have been mitigated or that statutory duties under Senate Bill 42 (SB 42) have been fulfilled.

By acknowledging the existence of emergencies in general but failing to dispute the specific emergency alleged, Defendant effectively concedes its existence through silence. Procedurally, this Court cannot dismiss an emergency petition absent present-tense verification that the risk has been resolved. Defendant’s motion provides no such “all clear” declaration, leaving the emergency undisputed and open.

## II. DEFENDANT'S PROCEDURAL AND SUBSTANTIVE DEFICIENCIES

Defendant's motion invites procedural error by urging dismissal without providing the Court with evidence to confirm the absence of an emergency. This approach breaches procedural norms, as the Court requires direct confirmation that no public safety risk persists before dismissing an emergency petition. Defendant's general denial of all claims, without addressing the specific emergency or providing an "all clear," is both procedurally flawed and substantively hazardous.

Defendant's reliance on technical legal arguments over substantive engagement with the petition's allegations conflicts with Chapter 418 of the Texas Government Code, which establishes this Court's oversight role in emergency response matters. By implying the judiciary lacks authority, Defendant misrepresents the Court's jurisdiction and responsibilities.

## III. DEFENDANT'S DELAY CONSTITUTES OBSTRUCTION

Defendant's choice to mail its response, rather than utilize more expedient methods, obstructs timely resolution of this emergency. Analogous to a firefighter walking to a burning building when faster transport is available, Defendant's deliberate delay—via non-expedited mailing—hinders this Court's ability to address an open, acknowledged, undisputed, and ongoing emergency. Each day of delay exacerbates the unresolved public safety risk.

## IV. DEFENDANT’S FAILURE TO ACCOUNT FOR AMENDED PRAYERS OF RELIEF

Defendant’s motion, notarized and filed *after* Plaintiff’s Amended Prayers of Relief were accepted into the record, fails to address these updates. Had Defendant reviewed the record, it would have recognized that jurisdictional arguments are inapplicable. Plaintiff’s petition does not seek sweeping declarations across jurisdictional boundaries or reassignment of judicial roles. Instead, it requests this Court verify the facts surrounding the emergency and acknowledge the absence of critical information, such as:

- The status and actions of the Security Committee.
- Documentation confirming procedural compliance by the 5th District Judge.

Plaintiff seeks to juxtapose the Cass County system against Travis County’s institutional integrity, enabling this Court to assess discrepancies warranting judicial oversight or intervention.

## V. TIME IS OF THE ESSENCE

Defendant has had ample opportunity to provide the Court with evidence resolving this emergency but has instead employed dilatory legal tactics. This failure undermines any presumption of good faith. Plaintiff urges the Court to deny Defendant further opportunities to delay, as time is critical, and Defendant's non-responsive approach does not merit additional deference.

Request: Petitioner requests that the Judge of said Court decline to strike Defendant's response from the record. Its tone, posture, and disregard for procedural standards serve as a live exhibit of negligence. This filing should remain available for review by emergency management professionals and oversight authorities as part of the factual record.

Respectfully,

Cliff Stephens

Linden, Tx 75563

6/2/2025 5:09 AM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Susan Schmidt

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

Cliff Stephens

PETITIONER

V

TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

and CASS COUNTY

RESPONDENTS

353rd JUDICIAL DISTRICT

# *Petitioner’s Rebuke of Respondent’s Misuse of Case Law*

TO THE JUDGE OF SAID COURT.

Petitioner respectfully submits the following analysis and rebuttal to each case cited by Respondents in their Motion to Dismiss and Plea to Jurisdiction. While Respondents rely on a series of precedents to challenge standing and jurisdiction, Petitioner asserts that none of the cited authorities apply to the emergency-specific, statute-based claims raised in this matter. Each case is addressed individually below to demonstrate its inapplicability or misinterpretation.

**Jurisdiction & Mandamus Cases:**

1. *Farmers Tex. Cty. Mut. Ins. Co. v. Beasley*, 598 S.W.3d 237, 241 (Tex. 2020)
2. *Bland Indep. Sch. Dist. v. Blue*, 34 S.W.3d 547, 554–55 (Tex. 2000)
3. *City of Austin v. Powell*, 704 S.W.3d 437, 447–48 (Tex. 2024)
4. *Nettles v. GTECH Corp.*, 606 S.W.3d 726, 734 (Tex. 2020)
5. *Alamo Heights Indep. Sch. Dist. v. Clark*, 544 S.W.3d 755, 770–71 (Tex. 2018)
6. *Tex. Dep't of Parks & Wildlife v. Miranda*, 133 S.W.3d 217, 226–27 (Tex. 2004)

**Justiciability and Public Right Cases:**

7. *Porth v. Currie*, 613 S.W.2d 534 (Tex. App.-Tyler 1981, no writ)
8. *Ne. Tarrant Cnty. Water Auth. v. Trinity River Auth.*, 370 S.W.2d 746 (Tex. App.-Fort Worth 1963, no writ)
9. *Wolf v. Petty*, 414 S.W.2d 539 (Tex. App.-Fort Worth 1967, no writ)
10. *Julian v. Carrollton Indep. Sch. Dist.*, 346 S.W.2d 189 (Tex. App.-Texarkana 1961, no writ)

**Special Exceptions / Writ of Mandamus:**

11. *Montague Cnty. v. White*, 260 S.W. 907 (Tex. App.-Fort Worth 1924, no writ)

**1.**

Defendant cites *Farmers Tex. Cty. Mut. Ins. Co. v. Beasley*, 598 S.W.3d 237 (Tex. 2020), in support of the claim that the Court must dismiss this action for lack of subject-matter jurisdiction. However, that case concerns a general civil dispute and applies to non-emergency claims where standard jurisdictional analysis is appropriate. It is not an emergency filing, nor does it implicate public safety, structural compliance, or judicial review under emergency law.

This distinction is critical. The current matter is filed under emergency designation, invoking Texas Government Code Chapter 418, which grants the judiciary elevated oversight authority when local actors fail to address a credible public threat.

Petitioner does not dispute the relevance of *Beasley* in a non-emergency civil context. However, its application here is misplaced. To use *Beasley* to argue against jurisdiction in an active emergency filing would invert the function of emergency oversight entirely. Emergency law exists to allow the Court to observe, verify, and act before harm occurs.

**2.**

The Defendant’s reliance on *Bland Indep. Sch. Dist. v. Blue,* 34 S.W.3d 547 (Tex. 2000), is not only misplaced but dangerous. This citation reveals the exact mindset the Petitioner seeks to expose: a belief that harm must occur before government action is justified.

*Bland* addresses standing in the context of ordinary civil litigation - not emergency petitions concerning public safety, statutory breach, or structural failure of government response. In those routine cases, an individual plaintiff must show they were personally harmed. But that threshold does not apply under Texas Government Code Chapter 418, which governs emergency management and enables preemptive state action where threats to safety, life, or infrastructure exist.

Under Chapter 418, standing is satisfied when conditions themselves pose a credible threat. The law does not require blood on the floor to trigger jurisdiction. Injury is anticipated, not required. That is the entire purpose of emergency law, to prevent harm, not to wait for it.

Defendant argues that the Petitioner lacks standing because the Petitioner has not been physically harmed by the failure to provide courthouse security or the improper relocation of court operations. This reasoning defies both logic and statute. It ignores the declared emergency, the unaddressed structural hazard, the known statutory security breach, and the ongoing procedural failure.

If the Court accepts the Defendant’s interpretation of *Bland,* it would set a precedent that delays relief until after public damage occurs. That outcome would defeat the purpose of both the Texas Disaster Act and emergency jurisdiction as a whole.

This Court is not bound by *Bland* in this context. It is bound by the duty to observe credible risk, verify statutory compliance, and, where necessary, act to prevent foreseeable harm.

**3.**

City of Austin v. Powell, 704 S.W.3d 437, 447–48 (Tex. 2024)

Defendant says Petitioner didn’t give enough hard facts - that the petition is too vague, just opinions without proof, and that petitioners is asking the Court *to take my word for it*. Here’s the truth: if Petitioner misused emergency procedure, that will be made known through the same process taking place now - and Petition will face the consequences if its found that the Petitioner be the boy who cried wolf.

The emergency I’ve identified is not hypothetical. It’s structural, procedural, and rooted in documented failure to comply with SB 42. Respondents haven’t denied that failure, and they’ve offered no evidence to show the courthouse is secure. That silence is critical.

Under Powell, the Court can examine jurisdictional facts - and the fact is, no security exists, and no rebuttal has been provided. That’s not a lack of jurisdiction. That *is* jurisdiction. Their silence reinforces it.

**4.**

Defendant relies on Nettles v. GTECH Corp., 606 S.W.3d 726 (Tex. 2020) - a case involving sovereign immunity and contractual liability related to a private lottery contractor. It has nothing to do with emergency law, structural threats, or courthouse security.

The case was cited in an attempt to support a technical dismissal of an active emergency petition - further illustrating the lengths to which the Defendant will go to avoid addressing the truth.

The procedural framework in Nettles does not override this Court's clear authority, under Chapter 418 of the Texas Government Code, to verify open, undisputed matters of public risk and ensure that statutory emergency responsibilities are being met.

**5.**

Defendant cites *Alamo Heights Indep. Sch. Dist. v. Clark*, 544 S.W.3d 755 (Tex. 2018), a case concerning sovereign immunity in the context of employment discrimination. That case dealt with whistleblower protections and burden-shifting in workplace harassment-not with emergency law, courthouse security, or judicial oversight under the Texas Disaster Act. Its relevance here is nonexistent. Defendant once again relies on misapplied precedent to avoid addressing the present and *uncontested* emergency. This misuse of case law further demonstrates the Defendant’s refusal to engage the actual subject of the filing: the failure to meet statutory security obligations and respond to declared emergency conditions.

**6.**

Petitioner *agrees* with the holding in Tex. Dep’t of Parks & Wildlife v. Miranda, 133 S.W.3d 217 (Tex. 2004), but *objects* to its misapplication by the Respondent. Miranda does not support dismissal under these conditions - it requires this Court to examine the factual record before determining jurisdiction. The allegations presented here, including the absence of statutory security at the Cass County Courthouse and the lack of lawful venue reassignment, go directly to the emergency oversight responsibility of the Court.

By choosing to file a motion to dismiss rather than supplying the facts necessary for the Court to assess the emergency claim, Respondent has failed to meet its burden. Under Miranda, the Court must treat jurisdiction as a fact-bound inquiry when factual disputes exist. Because the Respondent has chosen silence over evidence, the record remains incomplete - and Miranda compels the Court to preserve jurisdiction until that gap is resolved.

**7.**

Porth v. Currie, 613 S.W.2d 534 (Tex. App.-Tyler 1981, no writ)

Defendant attempts to frame the emergency filing as a generic political complaint - as if Petitioner merely objects to how things are being run. That is a mischaracterization. This petition does not express political dissatisfaction; it identifies a specific and unresolved legal breakdown.

Petitioner invokes (1) a statutory requirement under SB 42 requiring courthouse security, (2) a failure of administrative structure through the undocumented relocation of judicial operations, and (3) an active emergency under Texas Government Code Chapter 418.

Defendant’s citation to standing and procedural doctrine is another attempt to dismiss a verified emergency through technicalities rather than truth.

**8.**

Ne. Tarrant Cnty. Water Auth. v. Trinity River Auth., 370 S.W.2d 746 (Tex. App.-Fort Worth 1963)

Defendant distorts the holding in Trinity River Auth. to suggest this Court lacks power to act. That case involved a dispute between government entities over discretionary duties-not emergency oversight, public safety, or statutory failure.

Petitioner does not ask the Court to direct agency policy, but merely to verify whether mandatory courthouse security requirements remain unmet. This is not an abstract policy disagreement.

Invoking Trinity River here is a *misuse of precedent* designed to deflect scrutiny, not resolve the threat.

**9.**

Wolf v. Petty, 414 S.W.2d 539 (Tex. App.-Fort Worth 1967)

Defendant’s reliance on Wolf v. Petty misrepresents the nature of this proceeding. That case concerns private boundary disputes and has no relevance to public emergency law, statutory compliance, or judicial oversight. It is an improper precedent to block a safety-based emergency petition rooted in administrative law.

**10.**

Defendant cites *Julian v. Carrollton Indep. Sch. Dist.*, 346 S.W.2d 189 (Tex. App.-Texarkana 1961, no writ), to argue Plaintiff lacks standing due to no unique injury. This is inapplicable. *Julian* involved a generalized complaint with no statutory breach or emergency. This case arises from a statutory obligation - specifically SB 42 and Chapter 418 of the Texas Government Code - where the failure to provide courthouse security creates a recognized *threat* to public safety.

Plaintiff does not allege dissatisfaction with policy but identifies a specific legal failure: the courthouse remains operational and publicly recognized as a judicial venue, yet lacks any stationed security or lawful relocation. That is a statutory violation.

Under Chapter 418, standing arises from the threat itself, not from injury after the fact. Emergency law does not require harm to occur before action is warranted. Courts have both authority and duty to respond to credible risks based on legal obligations.

*Julian* does not apply where the law mandates action and failure to act invites harm. Here, the Court is empowered to verify and act on the present danger.

**11.**

Respondents’ reliance on *Montague Cnty. v. White*, 260 S.W. 907 (Tex. App.-Fort Worth 1924), is misplaced and irrelevant to the present matter. That case addressed legal formalities in a procedural dispute nearly a century ago-long before the Texas Legislature enacted comprehensive emergency response laws or imposed statutory duties for courthouse security and judicial oversight.

In today’s legal framework, especially under Chapters 418 and 74 of the Texas Government Code and SB 42, county officials are held to a higher standard during emergencies. When a credible threat to public safety exists-such as an unguarded, operational courthouse-government actors must do more than file a boilerplate denial by mail. They are required to engage the emergency substantively, demonstrate compliance with statutory obligations, and mitigate risk.

Montague involved no declared emergency, no statutory breach, and no modern administrative framework. It cannot be used to justify inaction in the face of a pending emergency petition that raises unresolved and undisputed safety failures. The precedent does not speak to current duties under law-and its application here would undermine the purpose of Texas emergency legislation entirely.

The Court must assess this case through the lens of current law. Montague offers no guidance for that.

## Emergency Law vs. Legal Argument

Emergency law is not a theoretical doctrine—it is a procedural reality. The controlling "law" in this matter is procedure, and the violation stems from the failure to adhere to it. The District Attorney's filing, while formatted legally, disregards the operative framework of emergency procedure as outlined in Senate Bill 42. This legislation mandates specific administrative protocols in response to courthouse security threats. Non-compliance with these protocols has triggered immediate formal oversight.

## Authority and Responsibility

The official most qualified to address this petition is the Cass County Judge, who holds administrative authority and is presumed to be well-versed in emergency procedures due to their prior career as the highest-ranking enlisted member in the Air Force. The District Attorney, however, is not the appropriate respondent. Assigning this task to the District Attorney suggests an intent to misdirect responsibility, potentially exposing them to unwarranted blame.

## Procedural Violations

Instead of adhering to proper channels and addressing the truth, the Respondents distorted the petition's purpose, diverted the Court's attention from urgent facts, and attempted to downgrade an active emergency without issuing an "All Clear." No such "All Clear" has been issued by either the County or the State. On the contrary, the State has acknowledged the emergency, and the matter remains unresolved. Procedural escalation and judicial review are now necessary to achieve resolution.

## Emergency Law Principles

In emergency law, personal opinions are irrelevant. The system is designed to identify and resolve threats. When pressure is applied, flaws in the response become evident. The Defendant's response was flawed, failing to address the fundamental question: *Should an active operational courthouse have security?* In emergency procedure, there is no defense—either the emergency is resolved, and an "All Clear" is issued, or those responsible must step aside for others who will act.

## Warning to Respondents

Respondents are hereby warned: attempting to retroactively claim an "All Clear" without evidence that the emergency is resolved will have consequences. Such false assurances will be recorded, reviewed, and acted upon. Do not test the system in this manner. Declaring "All Clear" without proof, only to have oversight reveal ongoing security lapses (e.g., by contacting the court clerk to confirm the absence of security), undermines the integrity of the process. Security determinations are governed by procedure, not the Respondents' discretion.

## Hypothetical Air Force Scenario

Given the Cass County Judge's distinguished Air Force background, consider the following: If this petition were presented in an Air Force context and emergency procedures were violated, the consequences would be severe. An Airman who acknowledged a threat but diverted attention from mitigating it would face immediate disciplinary action, potentially including court-martial for dereliction of duty. Such conduct jeopardizes mission integrity and safety, which is analogous to the current courthouse security issue.

## Request for District Attorney’s Recusal

The Petitioner respectfully requests that the District Attorney recuse themselves from this matter. Assigning the District Attorney to dispute an emergency petition regarding public safety on legal grounds is misguided and risks shifting blame onto them for issues beyond their control. The District Attorney’s role is to prosecute, not to address administrative failures in emergency procedure. Continued involvement may exacerbate the situation, drawing further scrutiny to procedural lapses. This petition calls for accountability from those responsible for the system’s administration, not the District Attorney.

## Conclusion

The Petitioner reiterates the request for the District Attorney to withdraw from this exchange. The Cass County Judge, as the administrative authority, must address the failure to follow emergency protocols. The focus must remain on resolving the active emergency and ensuring courthouse security, in strict adherence to Senate Bill 42. Oversight will hold accountable those who fail to comply. This isn’t personal, it’s procedural.

Respectfully,

Cliff Stephens

Linden, Tx 75563

6/3/2025 2:20 AM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Jennifer Lucas

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

Cliff Stephens

PETITIONER

V

TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

and CASS COUNTY

RESPONDENTS

353rd JUDICIAL DISTRICT

*Addressing Systemic Institutional Neglect*

## Introduction

The patterns below follow established emergency management doctrine. The terms are standard among professionals trained to evaluate institutional behavior during crisis. This memorandum isolates the attitudes and procedural failures shown in a single paragraph, Section VI of Respondents’ filing. Nothing is drawn outside it. Every observation tracks the language and posture found therein. The full source text is transcribed in the appendix.

## Procedural Blindness + Legalism

Instead of addressing the breach, officials reached for the *rulebook*. Their response rests on procedural wording while leaving statutory obligations unacknowledged. Requirements such as those found in Senate Bill 42 receive no attention.

> "Plaintiff has not shown that the general public has any right, statutory or otherwise, regarding a county courthouse's location or security."

This language assumes no legal structure governs courthouse safety. Emergency standards and legal protections are treated as if they do not exist.

## Public Duty Amnesia + Indifference

Officials treat the courthouse as a private workspace rather than a constitutional venue for justice. By framing the public as lacking any role in courthouse security, they exclude the community from the institution it is meant to serve.

> "…he has not shown that the general public has any right…regarding a county courthouse's location or security."

This position removes the public from a seat of government. The courthouse appears framed as a closed domain rather than a public institution with shared responsibility and access.

## Displacement of Responsibility + Deflective Conduct

Officials acknowledge the condition while insisting it falls outside their scope. By requiring the Plaintiff to prove individualized harm, they remove responsibility from the system and place it on the person who noticed the failure.

> “Plaintiff has also not plead any facts that show that he was uniquely injured…”

This framing isolates the matter to private injury. It deflects attention from structural collapse and places the burden on the observer rather than the officeholder.

## Structural Apathy + Institutional Arrogance

Even after being shown the hole in the hull, officials stayed the course because they built the ship. The breach is visible. The threat is clear. Rather than correct course, they cling to the authority of their own design. The posture reveals a system more committed to preserving its structure than protecting its people. Action is withheld unless individualized harm is surgically proven.

> “Because Plaintiff cannot show that this is a matter of public right…”

This statement draws a boundary around responsibility. Unless a specific person can cross that line with proof of injury, the institution continues forward as if seaworthy.

## Obstruction by Procedure + Strategic Delay

Instead of disputing the breach, officials pursued procedural dismissal. This choice favors legal stalling over urgent repair. Public risk continues without response.

> “…his petition should be dismissed for want of a justiciable interest.”

This language avoids confronting the issue. The filing becomes a tool to prevent further attention rather than a step toward addressing the emergency.

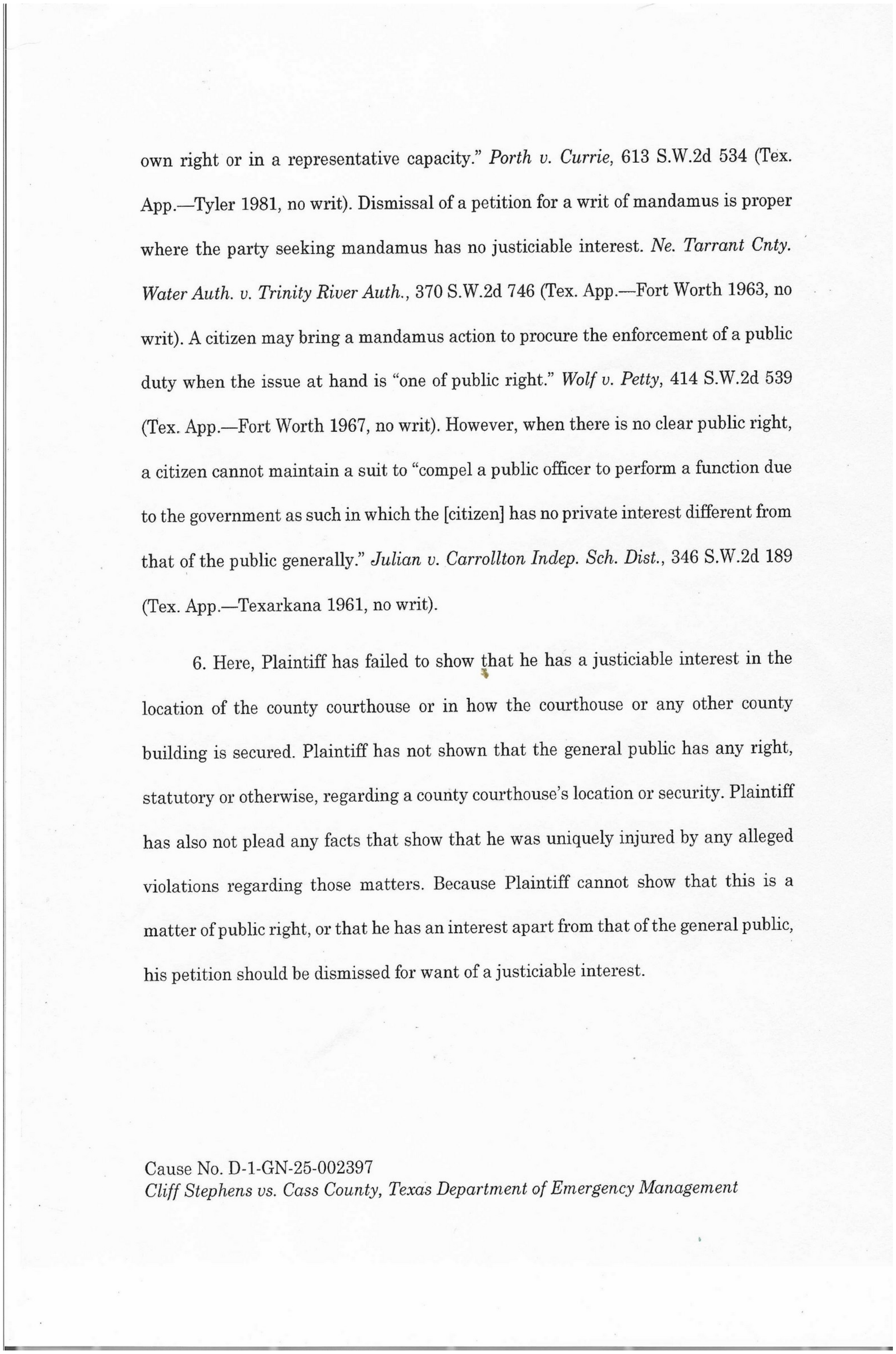
## Conclusion

The language and posture of Cass County officials reflect a coordinated cultural failure. The emergency remains unacknowledged, security is treated as a secondary concern, and legal processes are used to shield institutional error.

### *Procedural Note Regarding Potential Delay*

Petitioner notes that Respondents’ emergency response was received by Petitioner on May 29th. This notice is placed here as a procedural placeholder in the event that the District Attorney delays formal transmission of the response to the Court. Should Respondents withhold service to the presiding judge until the last moment to gain a procedural advantage, such a delay would constitute a deliberate obstruction of emergency resolution. Petitioner makes no accusation in this procedural matter and defers to the Court’s discretion in all matters related to the above.

APPENDIX A – IMAGE OF SOURCE TEXT: SECTION VI OF RESPONDENTS' FILING

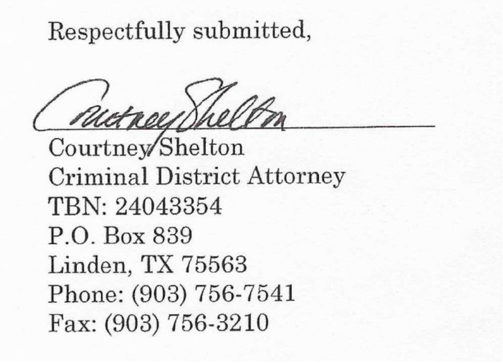


own right or in a representative capacity." *Porth v. Currie*, 613 S.W.2d 534 (Tex. App.—Tyler 1981, no writ). Dismissal of a petition for a writ of mandamus is proper where the party seeking mandamus has no justiciable interest. *Ne. Tarrant Cnty. Water Auth. v. Trinity River Auth.*, 370 S.W.2d 746 (Tex. App.—Fort Worth 1963, no writ). A citizen may bring a mandamus action to procure the enforcement of a public duty when the issue at hand is "one of public right." *Wolf v. Petty*, 414 S.W.2d 539 (Tex. App.—Fort Worth 1967, no writ). However, when there is no clear public right, a citizen cannot maintain a suit to "compel a public officer to perform a function due to the government as such in which the [citizen] has no private interest different from that of the public generally." *Julian v. Carrollton Indep. Sch. Dist.*, 346 S.W.2d 189 (Tex. App.—Texarkana 1961, no writ).

6. Here, Plaintiff has failed to show that he has a justiciable interest in the location of the county courthouse or in how the courthouse or any other county building is secured. Plaintiff has not shown that the general public has any right, statutory or otherwise, regarding a county courthouse's location or security. Plaintiff has also not plead any facts that show that he was uniquely injured by any alleged violations regarding those matters. Because Plaintiff cannot show that this is a matter of public right, or that he has an interest apart from that of the general public, his petition should be dismissed for want of a justiciable interest.

## APPENDIX B – SOURCE TEXT: SECTION VI OF RESPONDENTS' FILING

6.“ Here, Plaintiff has failed to show that he has a justiciable interest in the location of the county courthouse or in how the courthouse or any other county building is secured. Plaintiff has not shown that the general public has any right, statutory or otherwise, regarding a county courthouse’s location or security. Plaintiff has also not plead any facts that show that he was uniquely injured by any alleged violations regarding those matters. Because Plaintiff cannot show that this is a matter of public right, or that he has an interest apart from that of the general public, his petition should be dismissed for want of a justiciable interest.”



Respectfully submitted,

Courtney Shelton

Courtney Shelton
Criminal District Attorney
TBN: 24043354
P.O. Box 839
Linden, TX 75563
Phone: (903) 756-7541
Fax: (903) 756-3210

*genuinē,*

Cliff Stephens

Linden, Tx 75563

6/3/2025 2:23 AM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Jennifer Lucas

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

Cliff Stephens

PETITIONER

v.

TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

and CASS COUNTY

RESPONDENTS

353rd JUDICIAL DISTRICT

# NOTICE OF FILING

*Notice of Venue Anomalies and Request for Judicial Review*

Introduction,

This filing assigns no blame and asserts no legal claims regarding the ongoing questions surrounding the District 5 Judge’s venue. Its purpose is to identify observable anomalies and respectfully present them to the judge of this Court for independent consideration. Petitioner makes no accusation and provides documentation of procedural irregularities for review.

It is the Petitioner’s position that if these matters raise legitimate doubt, referral to the next highest judicial authority becomes necessary to determine whether these anomalies create a structural risk to the integrity of the Texas judicial system.

**Absence of Alternate Venue Authorization in Cass County**

Texas Government Code Section 24.105(e) provides:

> "The 5th and 102nd district courts may sit in Bowie County in Texarkana, in addition to New Boston, to try, hear, and determine nonjury civil or criminal cases, motions, arguments, and other nonjury matters."

This statute identifies New Boston as the primary court location in Bowie County and authorizes Texarkana as an alternate location through the phrase *in addition to.*

Texas Government Code Section 24.105(d)(2) provides:

> "In Cass County on the first Mondays in February, May, August, and November."

There is no language designating a secondary or alternate court location for Cass County. The phrase "in addition to" does not appear, and no other venue is named beyond the county itself.

This difference in language reflects a structural variation in how court venues are authorized between the two counties. A review of both the Texas Government Code and Texas Local Government Code reveals no supplemental language establishing a secondary court site for Cass County.

## Default Legal Venue for Cass County

Texas Local Government Code Section 291.001(a) provides:

> “The county seat is the place where the county courthouse is located and where the district and county courts are held…”

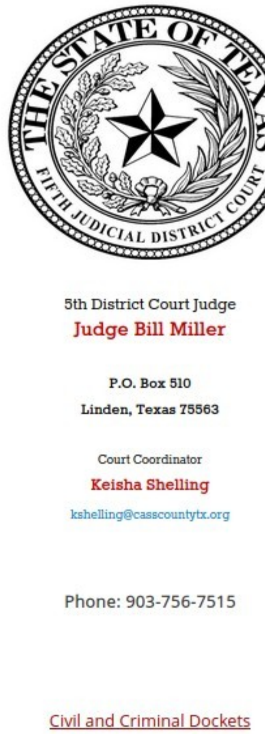
For Cass County, the legal county seat is Linden, Texas. The county courthouse is located at 100 East Houston Street, a structure that has continuously served for more than one hundred years as the judicial and administrative center.

At this time, the District Judge for the 5th Judicial District holds court outside the city of Linden, away from the county courthouse. No formal record has been identified that reassigns the official venue or relocates the county seat.

Cass County District Judge

Mailing Address: P.O. Box 510, Linden, Texas

Physical Location: Cass County Courthouse



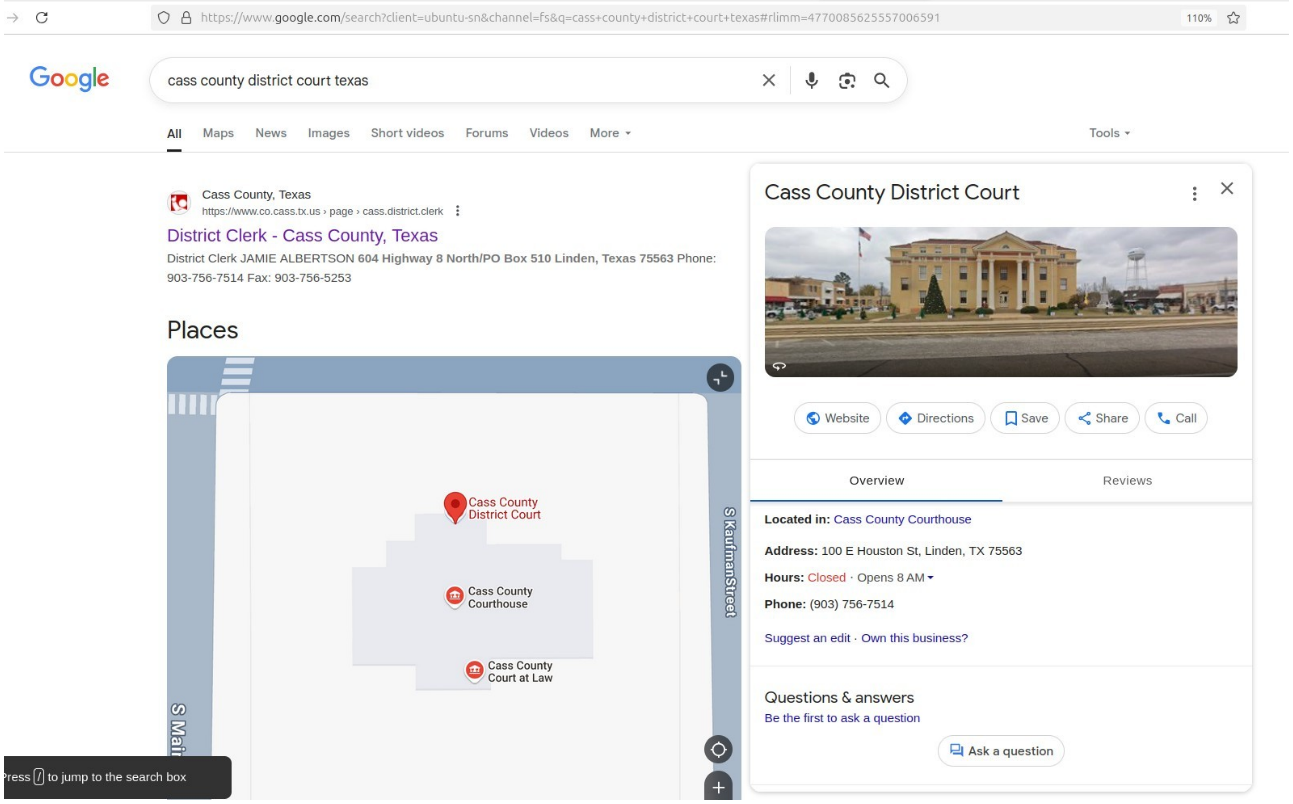
5th District Court Judge
**Judge Bill Miller**

P.O. Box 510
Linden, Texas 75563

Court Coordinator
**Keisha Shelling**
kshelling@casscountytx.org

Phone: 903-756-7515

Civil and Criminal Dockets



https://www.google.com/search?client=ubuntu-sn&channel=fs&q=cass+county+district+court+texas#rlimm=4770085625557006591

cass county district court texas

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Cass County, Texas
https://www.co.cass.tx.us › page › cass.district.clerk

District Clerk - Cass County, Texas

District Clerk JAMIE ALBERTSON 604 Highway 8 North/PO Box 510 Linden, Texas 75563 Phone: 903-756-7514 Fax: 903-756-5253

Places

Cass County District Court
Cass County Courthouse
Cass County Court at Law
S Kaufman Street
S Mai
Press / to jump to the search box

Cass County District Court

Website
Directions
Save
Share
Call
Overview
Reviews

**Located in:** Cass County Courthouse

**Address:** 100 E Houston St, Linden, TX 75563

**Hours:** Closed · Opens 8 AM

**Phone:** (903) 756-7514

Suggest an edit · Own this business?

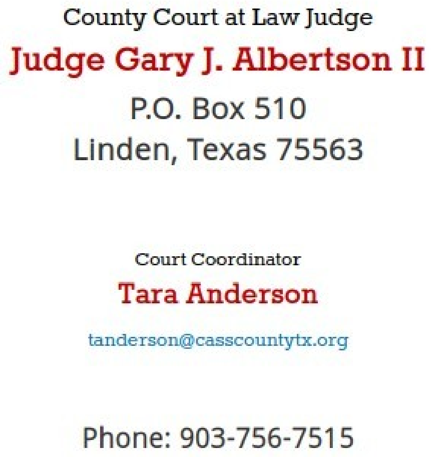
Questions & answers
Be the first to ask a question

Ask a question

Cass County Court at Law Judge

Mailing Address: P.O. Box 510, Linden, Texas

Physical Location: Cass County Courthouse



County Court at Law Judge

**Judge Gary J. Albertson II**

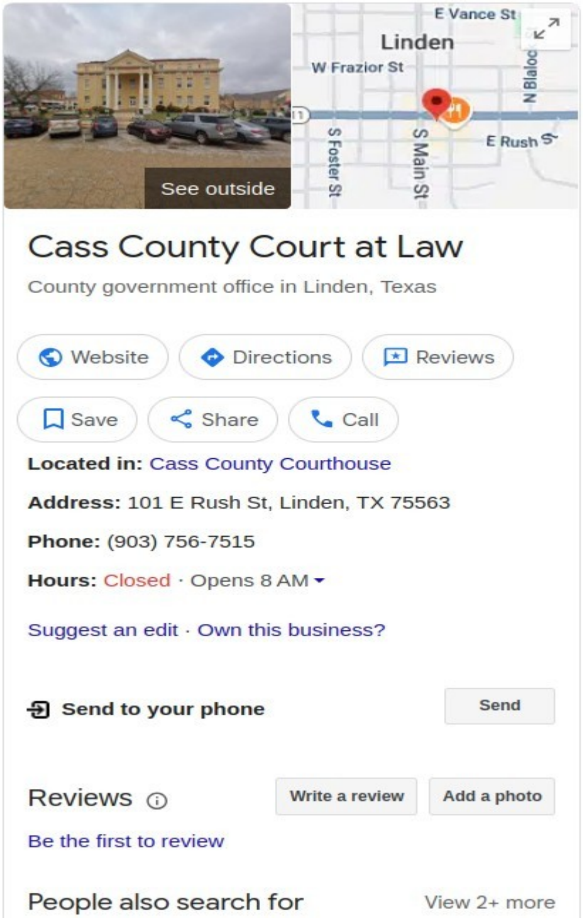
P.O. Box 510
Linden, Texas 75563

Court Coordinator

**Tara Anderson**

tanderson@casscountytx.org

Phone: 903-756-7515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S Main St
E Rush St
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Cass County Court at Law

County government office in Linden, Texas

**Located in:** Cass County Courthouse

**Address:** 101 E Rush St, Linden, TX 75563

**Phone:** (903) 756-7515

**Hours:** Closed · Opens 8 AM

Suggest an edit · Own this business?

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Respectfully,

Cliff Stephens

Linden, Tx 75563

6/3/2025 2:26 AM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Jennifer Lucas

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

Cliff Stephens

PETITIONER

V

TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

and CASS COUNTY

RESPONDENTS

353rd JUDICIAL DISTRICT

# *Supplemental Filing Regarding Public Information Request and Procedural Failures*

## Introduction

Petitioner respectfully asks this Court to take notice of the Public Information Request previously issued through the Office of the Cass County Judge, referenced under Envelope ID 100775755 and titled *Memorandum Regarding Public Information Request and Judicial Review*. This memorandum was submitted in connection with the active Emergency Petition before this Court and was intended to assist judicial review by requesting basic documentation relevant to courthouse operations, statutory compliance, and emergency law obligations.

Results of Procedural Stress Test: ADA Compliance Request

As part of a procedural stress test, Petitioner submitted a targeted information request regarding ADA compliance at the Cass County Courthouse. This request asked for any documentation, audits, or correspondence from 2017 to the present related to accessibility or structural justification for moving county operations.

This was not a complex question. Petitioner deliberately chose a request with a known and publicly verifiable answer: the Cass County Courthouse was rededication in 2012 and certified fully compliant with ADA standards, as listed on the Texas Historical Commission's public record.

If officials had any interest in transparency, cooperation, or procedural engagement, they could have responded simply by confirming the known fact: the courthouse is compliant. They did not.

Their failure to provide even this most basic acknowledgment when the answer is not in dispute and the data is readily available demonstrates institutional disengagement. The test was simple. They failed.

## Absence of Court Security Committee Documentation

Petitioner requested documentation confirming the existence, membership, or operation of a Court Security Committee in Cass County, as required under Texas Government Code Chapter 29 and Senate Bill 42. No documents were produced.

The request was made in connection with this Emergency Petition and was clear in scope: provide any records - formal or informal - indicating the existence of the Courthouse Security Committee

The absence of any material, despite the legal obligation to maintain such a committee in counties with active court operations, confirms a second procedural failure. Whether the committee does not exist or is inactive, the result is the same: Cass County could not produce evidence that it is meeting its basic legal obligations regarding courthouse security.

In the context of emergency law, this silence is not neutral. It affirms the breakdown already alleged. Petitioner submits this result as part of the growing record of institutional failure now before the Court.

## Clarification and Amendment of Prior Language

Petitioner respectfully draws the Court’s attention to a prior notice included in the original Public Information Request, in which the following sentence appeared:

“If this request is not fulfilled, or no lawful explanation is provided, the 353rd District Court is expected to forward the matter to the Office of the Attorney General of Texas for formal review and opinion, if they deem so appropriate.”

Petitioner acknowledges that the word expected was ill-chosen and may have implied an assumption about this Court’s future actions.

However, in light of the ongoing failures detailed above — including Cass County’s refusal to provide basic documentation regarding ADA compliance and courthouse security — Petitioner now amends the notice as follows:

“If this request is not fulfilled, or no lawful explanation is provided, the 353rd District Judge is *procedurally bound* to escalate the matter for further review.”

## Conclusion

The display put on by the District Attorney, followed by the continued inaction of the Cass County Judge's office, reflects a pattern of disengagement at multiple levels of government. Each step taken, or avoided, has moved the matter further from resolution and deeper into procedural breakdown.

These events reveal a chain of defaults within independent offices that share responsibility for the same courthouse. One attempted to reframe the emergency as a legal debate outside her role. The other chose silence despite a clear and reasonable request for documentation.

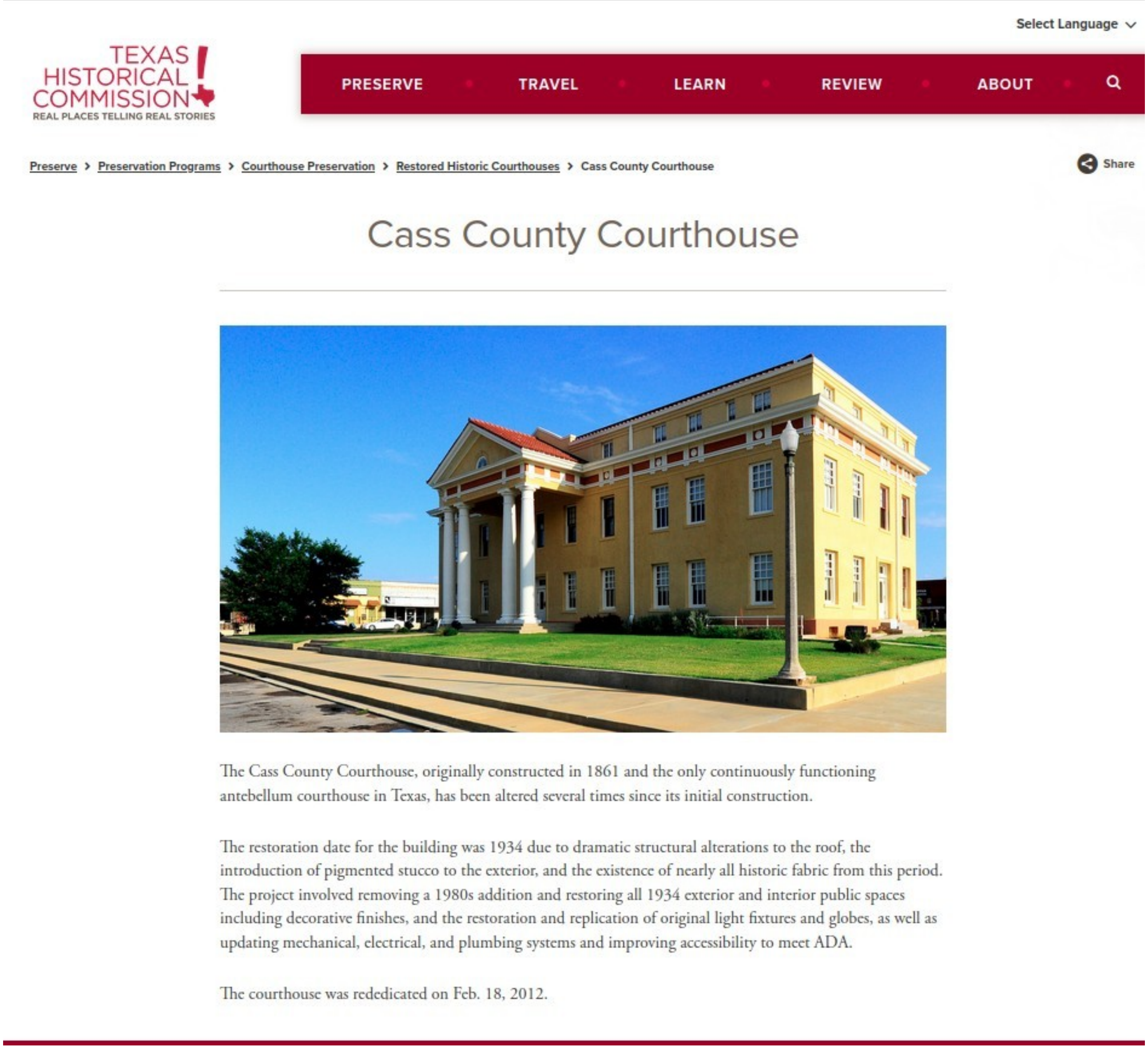
Together, these actions confirm that the emergency cannot be resolved through local channels. The pattern justifies judicial oversight and invites further review by higher authority. Petitioner submits this record to assist the Court in evaluating the structural implications already present in the case file.

Respectfully,

Cliff Stephens

Linden, Tx 75563

# Appendix A — Texas Historical Commission Rededication Record (2012)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Preserve > Preservation Programs > Courthouse Preservation > Restored Historic Courthouses > Cass County Courthouse
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## Cass County Courthouse

The Cass County Courthouse, originally constructed in 1861 and the only continuously functioning antebellum courthouse in Texas, has been altered several times since its initial construction.

The restoration date for the building was 1934 due to dramatic structural alterations to the roof, the introduction of pigmented stucco to the exterior, and the existence of nearly all historic fabric from this period. The project involved removing a 1980s addition and restoring all 1934 exterior and interior public spaces including decorative finishes, and the restoration and replication of original light fixtures and globes, as well as updating mechanical, electrical, and plumbing systems and improving accessibility to meet ADA.

The courthouse was rededicated on Feb. 18, 2012.

6/3/2025 11:37 PM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Selina Hamilton

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

Cliff Stephens

PETITIONER

V

TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

and CASS COUNTY

RESPONDENTS

353rd JUDICIAL DISTRICT

# *JURISDICTIONAL CLARIFICATION AND PROCEDURAL JUSTIFICATION FOR VENUE*

TO THE HONORABLE JUDGE OF SAID COURT

Petitioner submits this brief notice to explain why this filing was brought before this Court.

There is no physical address listed anywhere on the Cass County website or in public records showing where the District 5 Judge's office is located. The only point of contact available is a P.O. Box.

In any emergency, mailing critical documents to a P.O. Box - even one that receives mail - is not an appropriate method for urgent response. Emergency procedure requires *direct access*, *confirmation of receipt*, and *timely engagement*. A mailbox, by nature, provides none of these.

Petitioner made every reasonable effort through the city and county. When no office could confirm receipt or offer emergency response, Petitioner brought this matter to the first court that could.

Respectfully submitted,

Cliff Stephens

*Petitioner, Pro Se*

6/3/2025 11:42 PM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Selina Hamilton

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

Cliff Stephens

PETITIONER

v.

TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

and CASS COUNTY

RESPONDENTS

353rd JUDICIAL DISTRICT

# *NOTICE OF MEDIA PRESENCE AND FINAL SUPPORTING STATEMENT*

TO THE HONORABLE JUDGE OF SAID COURT

Petitioner respectfully submits this notice to inform the Court of media attention surrounding this matter. This attention stems from the involvement of Mr. Don Henley, a well-known musician and owner of property adjacent to Petitioner; this filing highlights a longstanding dispute with the City of Linden over infrastructure failures that have compromised public safety and property integrity. What follows is a narrative of cascading negligence.

## I. THE ORIGIN OF THE DISPUTE:

Seven years ago, a rusted underground water line in the City of Linden began leaking. This fact is accepted by the engineers on record, the municipality, and Mr. Henley's property manager, Ken Hawkins, whose statement is attached to the initial filing. The City replaced a small section of the line while leaving the rest buried and deteriorating. The ongoing leak has caused the ground to shift, undermining foundations throughout the area, including one quarter of Petitioner's property.

When Mr. Hawkins pushed for a full resolution, the City Manager responded with the dismissive remark: "F*ck Don Henley." Repairs ceased at that point and have not resumed.

This response reflects a wider pattern of institutional neglect. Petitioner observed a four-inch displacement in the wall over six months. The change was documented and brought to the City Council's attention in October 2024. Petitioner requested a clear course of action. The Council acknowledged the issue's background but chose silence, offering neither access nor support.

Mr. Henley now finds himself in a similar position. Until damage occurs, no remedy will come. He must either wait for harm to take place or move to protect a stretch of historic buildings destabilized by shifting ground and becoming a liability. Headlines such as "Don Henley to sue Music City to save historic infrastructure from institutional failure" would surprise none who understand the facts.

## II. A PATTERN OF DENIAL:

The City’s refusal to act mirrors a troubling pattern across multiple layers of authority. Petitioner sought emergency access to adjacent land to brace the compromised wall, but the City Manager denied the request, claiming the City did not own the land and had no obligation to assist. Requests for utility maps to identify underground lines were ignored. Petitioner’s independent investigation through the Appraisal District revealed the land in question was mistakenly listed, with the neighboring property owner, Kayla, confirming she did not own 20% more property than the Appraisal District indicated. The City owns the land and disputes ownership at the same time.

This institutional stonewalling took a dangerous turn when Mr. Henley’s team, attempting to install temporary bracing, struck but did not damage an unmarked underground gas line. Only a shift in sound alerted the crew, allowing them to locate and mark the line by hand. This *near-miss* is directly traceable to the City’s refusal to provide critical utility information.

## III. A BROADER FAILURE:

The City of Linden’s conduct is not an isolated failure but a reflection of a broader institutional pattern. The Cass County Commission has ignored Petitioner’s declared public emergency involving safety risks for over 45 days, echoing the City’s inaction. Similarly, the District 5 Judge has adopted a stance that the County Clerk must suffer harm before security measures can be implemented, despite the existing apparatus designed to protect her and him. The District Attorney, in turn, has argued that Petitioner must prove personal injury before claiming an emergency, a logic that would require Mr. Henley to wait for falling bricks to injure someone before addressing the leak.

This flawed reasoning—that harm must occur before action is warranted—pervades each layer of authority. Mr. Henley, seeking to protect his property, commissioned engineers to conduct a borehole test, a standard industry practice, to confirm the leak’s existence. A practice the City has been asked to perform now for 5 years , but has refused to undertake.

IV. REQUEST FOR RELIEF Petitioner respectfully requests that the Court acknowledge the media and consider this filing a courtesy to their awareness – petition doesn't want the judge of said court to be surprised by anything now or in the future.

***First and Only Statement to Media Present***

Petitioner respectfully requests that the Judge of said Court grant one *grace - the opportunity to address the media present:*

*To publish now that the Cass County Courthouse is currently unguarded constitutes a breach of procedural responsibility. It invites unnecessary risk. There are unstable individuals in every region. They need not be alerted to this vulnerability.*

*Those with access to this record are respectfully advised to refrain from disclosing this information until proper security has been reestablished.*

Respectfully

Cliff Stephens

Linden, Tx 75563

6/4/2025 8:16 AM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Melissa Romero

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

Cliff Stephens

PETITIONER

V

TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

and CASS COUNTY

RESPONDENTS

353rd JUDICIAL DISTRICT

# MOTION TO STRIKE

# ON PROCEDURAL GROUNDS

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- B. Failure to Comply with Service Requirements under TRCP Rule 21a
- C. Inadequacy of P.O. Box for Emergency Response
- D. Unauthorized Response from the District Attorney
- E. Failure to Comply with Texas Government Code and Emergency Law

IV. EXTENDED ARGUMENT – POSITIVE COMMUNICATION AND BREAKDOWN OF PROCEDURE

V. CONCLUSION

VI. PRAYER FOR RELIEF

APPENDIX A

TO THE HONORABLE JUDGE OF SAID COURT:

Petitioner moves the Court to strike and dismiss the filing submitted by Respondents. The filing did not originate from a position authorized to receive emergency material and cannot remain part of the record.

## I. INTRODUCTION

Petitioner lawfully served the Cass County Judge with an emergency filing concerning matters within his legal duty under state law. Respondents' submission did not come from the named official. The document received by the Court was submitted from an office that holds no emergency authority. The submission is procedurally disqualified and must be removed from the record.

An emergency exists due to a disruption in courthouse security, unresolved structural risks, and continued lack of intake for public safety matters in violation of emergency standards. Under Texas Government Code § 418.004(1), these conditions meet the statutory definition of an emergency. Under Texas Government Code § 418.1015(b), the county judge serves as the emergency management director and is responsible for implementing the emergency management plan. The named official received the emergency filing but failed to respond, failed to act, and failed to initiate any lawful transfer of duty.

## II. FACTUAL BACKGROUND

Petitioner addressed the emergency filing to the Cass County Judge and delivered the material by certified mail. Postal records confirm receipt on May 6, 2025. The signature recorded belongs to Sarah Alexander, assistant to the Cass County Judge.

No confirmation exists to show that the named judge reviewed the material or issued a formal response. No transfer of responsibility was documented. No order of delegation was filed. A separate office responded to the filing, despite holding no legal duty to act in emergency management.

## III. ARGUMENT

Respondents’ filing is procedurally defective and must be dismissed. Petitioner completed service by certified mail addressed to Judge Travis Ransom. The address provided was a Post Office Box located in Linden, Texas. That address is structurally incapable of supporting lawful emergency response under Texas procedure and emergency law.

The certified return receipt confirms only that a postal agent, identified as Sarah Alexander, signed for the item on May 6, 2025. No verification exists to confirm that Judge Travis Ransom received the filing. No indication exists that the material entered any emergency intake system. No evidence exists of time-stamped review, no confirmation of direct transfer, and no record of routing for immediate handling.

Texas Rules of Civil Procedure Rule 21a requires service to be verifiable and capable of reaching the intended recipient. Emergency procedure requires a structure that supports timely review and active capacity to respond. A Post Office Box cannot support hand delivery. It cannot produce timestamped intake by the recipient. It cannot receive judicial directives. It remains outside the framework required for emergency communication.

Cass County’s exclusive reliance on a Post Office Box, without any emergency intake process or verifiable receipt system, violates the requirements of Texas Government Code § 418.106(a), which mandates that each local agency shall establish an emergency management program. The current setup does not meet that requirement. No live intake location exists. No emergency reception protocol is in place. No confirmation of physical receipt, transfer, or time-stamped review can be produced. Further, Texas Government Code § 552.221(b) requires that public information requests be directed

to an officer for public information or a specified physical location. No physical location has been designated. No live official accepted or confirmed the filing. This violates both procedural expectation and emergency structure. Under the Texas Administrative Code, Title 37, Part 1, Chapter 7, local governments are expected to maintain functional emergency plans for county facilities. No such mechanism has been made available. The structure remains noncompliant with basic emergency standards.

Rule 21a(e) states: “The party or attorney of record shall certify to the court compliance with this rule in writing over signature and on the filed instrument.” No such certification has been filed by the person served. The District Attorney submitted a response without being served and without compliance with Rule 21a(e). No procedural connection exists between the party named and the party who responded. The filing entered the record without lawful service, without certification, and without authority. The response must be dismissed.

These structural conditions disqualify Respondents from participating in emergency procedure. No filing has been submitted by the official served. No record exists that the District Attorney was appointed to act in place of the named recipient. No written order transferred authority. No statute delegates emergency responsibility from the named judge to the District Attorney. The filing must be struck under Texas Rules of Civil Procedure Rule 12, as it was submitted by a party with no verified authority to appear. The filing did not enter through a valid emergency channel. Its presence in the record is unsupported by procedural law and must be dismissed.

## IV. EXTENDED ARGUMENT – POSITIVE COMMUNICATION PRINCIPLE

While not codified in Texas law, the principle of positive communication is universally applied in safety and crisis response systems. This concept parallels the legal requirement for verified service, certified receipt, and confirmed transfer of emergency authority under Texas Government Code Chapter 418. These requirements ensure that responsibility is not presumed but actively accepted and confirmed, with clear procedural custody of emergency matters. This structure exists to prevent gaps in control and eliminate breakdowns in accountability during crisis conditions.

Positive communication is a structured and widely taught discipline used in aviation, emergency services, and critical systems to ensure control is never left unconfirmed. The sequence is as follows:

"You have the flight controls."
"I have the flight controls."
"You have the flight controls."

Each part of the loop confirms release, acceptance, and closure. This process eliminates confusion, prevents contradiction, and safeguards against uncontrolled action. Emergency law functions in the same manner. Control must be acknowledged. accepted. Response must be confirmed. Petitioner addressed the filing to the official with legal duty.

The envelope was addressed to Judge Travis Ransom. The record shows a staff member signed for it. No appearance followed. No acknowledgment entered the record. No lawful action returned from the named official.

Instead, a response came from the District Attorney. The District Attorney was not served. The District Attorney was not named. The District Attorney holds no statutory role in courthouse emergency response. The response did not result from verified intake. It was not authorized by the person with duty to respond.

This procedural failure mirrors the breakdown that positive communication is designed to prevent. Petitioner did not serve a staff member. Petitioner served the official with duty. That official did not respond. That official allowed a filing to be issued from a separate office with no right to act. The result is strategic deferral of duty.

## V. CONCLUSION

The emergency remains active. The Cass County Judge has not acknowledged the emergency. Petitioner has requested records confirming the existence of a Court Security Committee. No response has been provided. Petitioner has declared a lawful emergency concerning public safety. That declaration remains unanswered. Even filings served by this Court’s constable have failed to enter a working system of review. The office that received service has remained silent. The office that responded had no legal authority to speak.

Petitioner further notes that all public offices operating from the Cass County government structure share the same failure. No physical intake location is listed for certified emergency delivery. No intake protocol exists that allows for verification. No officer within that structure has demonstrated the capacity to receive, confirm, and respond under the conditions required by emergency procedure. Communication delivered to a Post Office Box cannot verify transfer. It cannot confirm review. It cannot support emergency law. No party operating under those conditions may speak into the emergency record. This system cannot be relied upon. The structure failed.

## VI. PRAYER FOR RELIEF

Petitioner respectfully asks the Court to grant the following:

1. Strike and dismiss the filing submitted by Respondents on procedural grounds, recognizing that it was submitted by a party not served, not named, and not authorized to respond under Texas Government Code § 418.1015.
2. Compel a direct response from the named official, Judge Travis Ransom, in his capacity as emergency management director for Cass County, as defined under Texas Government Code § 418.1015(b).
3. Preserve the emergency record in a form that reflects only procedural participation through lawful intake, verified authority, and confirmed responsibility.

Respectfully,

Cliff Stephens

Linden, Tx 75563

June 4, 2025

APPENDIX

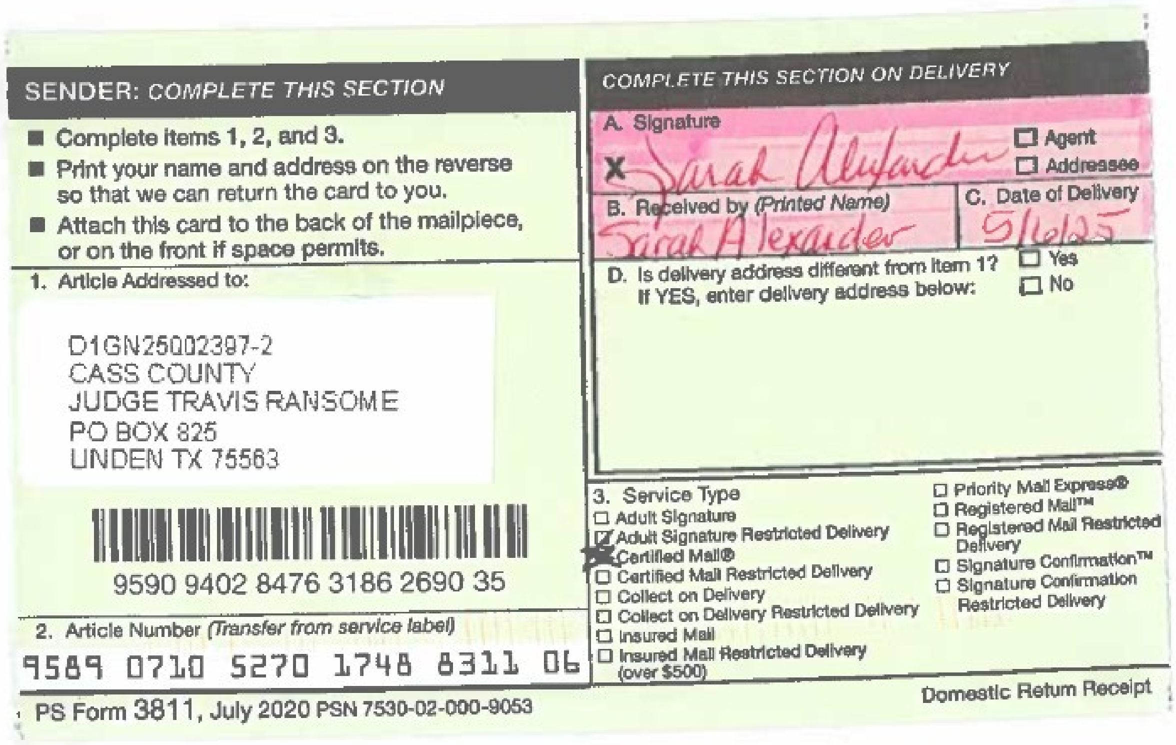
A: Certified Mail Return Receipt, Proof of Service on Cass County Judge & Image.

Judge Travis Ransom

Cass County Judge

Post Office Box 825

Linden, Texas 75563



**SENDER: *COMPLETE THIS SECTION***

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

D1GN25002397-2
CASS COUNTY
JUDGE TRAVIS RANSOME
PO BOX 825
LINDEN TX 75563

9590 9402 8476 3186 2690 35

2. Article Number *(Transfer from service label)*

9589 0710 5270 1748 8311 06

PS Form 3811, July 2020 PSN 7530-02-000-9053

***COMPLETE THIS SECTION ON DELIVERY***

A. Signature

X Sarah Alexander ☐ Agent ☐ Addressee

B. Received by *(Printed Name)* Sarah Alexander

C. Date of Delivery 5/6/25

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☐ Adult Signature
☑ Adult Signature Restricted Delivery
☒ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Insured Mail
☐ Insured Mail Restricted Delivery (over $500)
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

P8P/m
CR

—1

# CITATION
## THE STATE OF TEXAS
**CAUSE NO. D-1-GN-25-002397**

CLIFF STEPHENS
, PLAINTIFF(S)

vs.

CASS COUNTY; TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT
, DEFENDANT(S)

TO: **TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT**
**2883 HWY 71 EAST**
**DEL VALLE, TX 78617**

Defendant, in the above styled and numbered cause:
**YOU HAVE BEEN SUED. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 A.M. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org."**

Attached is a copy of the **EMERGENCY PETITION FOR WRIT OF MANDAMUS** in the above styled and numbered cause, which was filed on **APRIL 07, 2025** in the **353RD DISTRICT COURT** of Travis County, Austin, Texas.

ISSUED AND GIVEN UNDER MY HAND AND SEAL of said Court at office, **APRIL 25, 2025**

REQUESTED BY:
**CLIFF STEPHENS**
**981 CR 1456**
**LINDEN, TX 75563**
Ph# 903-665-0685
Email: Cliff@anexso.life

Velva L Price
Travis County District Clerk
Civil Family Court Facility (CFCF)
1700 Guadalupe Street | P.O. Box 679003 (78767)
Austin TX 78701
**Selina Hamilton, Deputy**

2025 APR 25 PM12:04

## RETURN

Came to hand on the 25th day of APRIL, 2025 at 12:04 o'clock P M., and executed at ______ within the County of ______ on the ____ day of ______, ______, at ______ o'clock ____M., by delivering to the within named RETURNED TO COURT UNEXECUTED - RTC - SERVICE*, each in person, a true copy of this citation together with the **EMERGENCY PETITION FOR WRIT OF MANDAMUS** accompanying pleading, having first attached such copy of such citation to such copy of pleading and endorsed on such copy of citation the date of delivery. * ADDRESS IS OUT OF SERVICE AREA
NEW ADDRESS: OFFICE OF GENERAL COUNSEL MOORE/CONNALLY BUILDING, 6TH FLOOR 301 TARROW ST. COLLEGE STATION, 77840

Service Fee: $ ______

Const. Pct. 5, Travis County, Texas
Sheriff / Constable / Authorized Person

Sworn to and subscribed before me this the ____ day of ______, ______.

By: 535

DEPUTY Wallace Harmon
Printed Name of Server

Travis County, Texas

______
Notary Public, THE STATE OF TEXAS
D-1-GN-25-002397

CONSTABLE

E-MAILED
6/9/25MG

## Case Data

**Cause:** D1GN25002397-1 **Court:** District 353 **County:** TRAVIS
**Issued:** 04/25/2025 **Received:** 04/25/2025 **Type:** citation

**Plaintiff:** STEPHENS,CLIFF
**Defendant:** CASS COUNTY ET AL
**Respondent:** TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

**Agent:**
**Attorney:** STEPHENS,CLIFF
**Division:** Main **Fee Due:** $0.00

### Case History

05/27/2025 @ 1142 information
**Responsible party:** Wally Harmon
**Address:** 313 E ANDERSON LN AUSTIN TX 78752
**Comment:** Last Changed: HARMONW 05/27/2025 11:44
email sent to applicant for update - advised RTC on June 2nd if no update rec'd

05/07/2025 @ 1820 information
**Responsible party:** Wally Harmon
**Address:** 313 E ANDERSON LN AUSTIN TX 78752
**Comment:** Last Changed: HARMONW 05/27/2025 11:43
email received from applicant - waiting on judge information and will update me

05/06/2025 @ 1248 information
**Responsible party:** Wally Harmon
**Address:** 313 E ANDERSON LN AUSTIN TX 78752
**Comment:** Last Changed: HARMONW 05/06/2025 12:51
email sent to applicant for guidance to proceed

05/06/2025 @ 1100 information
**Responsible party:** Wally Harmon
**Address:** 313 E ANDERSON LN AUSTIN TX 78752
**Comment:** Last Changed: HARMONW 05/06/2025 12:51
rec'd information that service must be at Office of General Counsel in College Station, Texas

05/06/2025 @ 1033 information
**Responsible party:** Wally Harmon
**Address:** 313 E ANDERSON LN AUSTIN TX 78752
**Comment:** Last Changed: HARMONW 05/06/2025 12:50
LVM for Charles Eanes for update on service process for Chief of TDEM

05/05/2025 @ 1656 attempt

**Responsible party:** Wally Harmon
**Address:** 313 E ANDERSON LN AUSTIN TX 78752
**Comment:** Not at work Last Changed: HARMONW 05/05/2025 16:59

spoke w/ female employee - advised chief of agency was gone - gave information for me to call to person that would coordinate that process

05/05/2025 @ 1628 attempt

**Responsible party:** Wally Harmon
**Address:** 1033 LA POSADA DR AUSTIN TX 78752
**Comment:** Does not work there Last Changed: HARMONW 05/05/2025 16:36

bad address - Texas Department of Emergency Management is no longer housed in this location

05/01/2025 @ 1639 transfer

**Responsible party:** Wally Harmon
**Address:** 1033 LA POSADA DR AUSTIN TX 78752
**Comment:** Last Changed: HARMONW 05/05/2025 13:00

Please Serve Chief Nim Kidd

04/30/2025 @ 948 attempt

**Responsible party:** Patrick Pace
**Address:** 2883 HWY 71 EAST DEL VALLE TX 78617
**Comment:** Last Changed: PACEP1 04/30/2025 09:49

The is the United States Post Office in Del Valle Texas. Bad address.

04/25/2025 @ 1459 assign

**Responsible party:** Patrick Pace
**Address:** 2883 HWY 71 EAST DEL VALLE TX 78617
**Comment:** Last Changed: LITTLEO 04/25/2025 14:59

6/10/2025 5:55 PM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Jennifer Lucas

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

Cliff Stephens

PETITIONER

V

TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

and CASS COUNTY

RESPONDENTS

353rd JUDICIAL DISTRICT

# Notice of Federal Escalation

TO THE HONORABLE JUDGE OF SAID COURT

Petitioner respectfully places the Court on notice of the timeline for federal escalation, should state-level resolution fail.

If Cass County cannot produce documentation establishing that its courthouse constitutes a lawful venue for the enforcement of federal law, then the breach must be brought to the attention of federal authority without delay.

If by July 4, 2025, the matter under review in Cause No. D-1-GN-25-002397 remains unresolved by state authority, Petitioner shall submit a placeholder notice to the Senate Judiciary Committee - Subcommittee on the Constitution.

If by July 11, 2025, no lawful resolution is executed, Petitioner shall file a *formal* request for federal oversight and constitutional intervention.

This escalation stands as safeguard. The State of Texas retains full authority to resolve the emergency under state law. Petitioner, out of respect for the sovereignty of the State of Texas, declines at this time to notify federal authorities of the unresolved venue status and the ongoing deprivation of civil rights.

Failure to act within the stated period shall procedurally necessitate federal oversight to preserve judicial continuity, enforce the rule of law, and protect constitutional rights.

Respectfully Submitted,

Cliff Stephens

Linden, Tx 75563

6/12/2025 3:53 AM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Susan Poodiack

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

Cliff Stephens

PETITIONER

v.

TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

and CASS COUNTY

RESPONDENTS

353rd JUDICIAL DISTRICT

# Emergency Notice of Jurisdictional Escalation and Command Substitution

**TO THE JUDGE OF SAID COURT:**

Petitioner no longer holds good faith in the State of Texas to resolve this matter. Every deadline set for institutional response has passed without remedy. The emergency record remains undisputed. Petitioner withdraws from all prior procedural timelines and hereby triggers formal jurisdictional escalation to the federal level. The State of Texas has exhausted its standing. Jurisdiction now escalates.

## TOP DOWN

Titles of these officials exist through oath. That oath stands abandoned. The titles therefore hold no honor. Their standing reflects failure. These offices no longer protect the system. They compromise its structure.

The venue in question - a courtroom without any physical address - has not been defended or verified as authorized to prosecute federal law. A formal Public Information Request intended to confirm its legitimacy has gone ignored (Envelope #101531263).

They are now named.

Alfonso Charles (Appointed by the Texas Supreme Court)

– Moral cowardice through institutional silence

Envelope 100795153

Hector Gomez (Director, Court Security Division, OCA)

– Institutionally incompetent

Envelope 100798368

Bill Miller (District Judge, 5th Judicial District)

– Demonstrated institutional incompetence by presiding over a venue with no confirmed legal status. Failed to verify or defend the authority of his courtroom to prosecute federal law. Ignored a formal inquiry into jurisdictional legitimacy. Took no action to correct, clarify, or respond.

Envelope 101531258

Courtney Shelton (Cass County Criminal District Attorney)

– Demonstrated institutional incompetence by failing to recognize the scope of her responsibilities. Took no independent action to investigate or address a declared courthouse security emergency. Deferred entirely to others, regardless of law, logic, or consequence.

Envelope 101531252

Travis Ransom (Cass County Judge)

– Abandoned duty under Chapter 418. Failed to acknowledge or respond to an open courthouse security emergency. Ignored Public Information Request on judicial venue legitimacy. Denied oversight, refused remedy, shielded systemic failure.

## Command Substitution

The Texas Supreme Court has already been substituted. It appointed the judge whose silence sanctioned the emergency. Silence is not neutral. Silence is an institutional decision in the context of emergency law. The Court's voice spoke through its appointment. The Attorney General has also been substituted. His office oversees the agencies that failed to respond, failed to deploy, and failed to protect. Failure occurred on his watch. *Command Substitution* applies upward. It applies to those who ignored the emergency. It applies to those who empowered their ignorance. These officials no longer hold authority in this matter. Their titles carry no weight. Their silence voided their jurisdiction. Petitioner will not seek direction from figures already removed from the chain of command.

The Texas Supreme Court, having already surrendered its jurisdiction through silence, will receive no audience. It will be instructed - not consulted. Its silence has already spoken. Its authority has already collapsed. It will now be told what to do. The courthouse in question may not have proper venue to enforce *federal* law. That matter will not be placed before the Court where there is the potential to mirror the body with silence. It will be given to them as a completed directive. They have been substituted.

The Attorney General will be told where to sit. His system remains incompetent. His example is set. His doctrine is clear. Command does not vanish. Command transfers. Petitioner has executed that transfer. The record stands. The substitution is final.

Every agency failed. Each official named stands substituted under emergency doctrine. Command belongs to Petitioner. The record declares authority. No official overrides. No title reclaims what silence surrendered. The emergency framework in Texas collapsed through internal failure. Petitioner now executes lawful resolution under emergency authority. Until federal oversight intervenes or a judge assumes lawful command, emergency authority remains with Petitioner.

## Petitioners request for direct and immediate action

The 353rd District Court is now respectfully asked to contact the Cass County Sheriff and request that a deputy be stationed at the Cass County Courthouse as temporary security, effective immediately and continuing until further notice.

Should the Sheriff refuse, that refusal must be entered into the emergency record as a formal denial.

Should this Court decline to make the request, that silence will serve as further procedural grounds for federal intervention.

This moment constitutes the final procedural checkpoint for this chain of command. Any refusal to act shall be preserved as federal exhibit of structural collapse.

**Petitioner respectfully requests acknowledgment from the staff of the 353rd District Court as follows:**

This submission constitutes part of the *emergency record* and is not subject to the standards or constraints of the *legal record*. Any legal objections or procedural concerns regarding the content or form of Petitioner’s filings are immaterial within the framework of emergency response. The emergency record operates under the demands of immediacy and duty - not legal review - and must remain whole and uninterrupted.

Any delay, denial, or refusal to acknowledge or enter this filing – or any other - into the emergency record shall constitute a withholding of critical emergency information during a declared and unresolved threat. Petitioner submits this filing as a procedural courtesy to the 353rd District Judge and her staff to preserve the continuity and integrity of the emergency record, without regard to legal interpretation or admissibility.

Respectfully,

Cliff Stephens

Linden, Tx 75563

6/13/2025 3:23 PM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Susan Poodiack

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

Cliff Stephens

PETITIONER

V

TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

and CASS COUNTY

RESPONDENTS

353rd JUDICIAL DISTRICT

# NOTICE OF FEDERAL ESCALATION

# AND

# TRANSFER TO U.S. DEPARTMENT OF JUSTICE

TO THE JUDGE OF SAID COURT

Petitioner respectfully submits this notice into the Emergency Record.

On June 13, 2025, the Office of U.S. Senator Ted Cruz issued a formal response to Petitioner's emergency filings. The letter, signed under the Senator's name and printed on official congressional letterhead, acknowledges receipt and declines to intervene. In that response, the office of Senator Cruz issued the following direct statement:

> "This is a matter which does not fall within the jurisdiction of the U.S. Senate or the federal government."
>
> -Senator Ted Cruz

This declaration - made in response to an active, acknowledged, and undisputed emergency involving courthouse security failure, venue instability, and jurisdictional breakdown - is now entered into the Emergency Record as a formal federal procedural refusal.

Senator Cruz was not explicitly informed that multiple civil rights violations have occurred, but he was provided with sufficient procedural facts to reach that conclusion, including the collapse of emergency protocol, the absence of mandated courthouse security, and venue irregularities affecting the administration of justice.

Had Senator Cruz performed any due diligence, he would have recognized the emergency. Instead, he issued a blanket refusal - without follow-up, inquiry, or any meaningful engagement.

The legal question is not whether Senator Cruz *believes* he has a role. It is how an elected federal official - presented with evidence of a live emergency involving judicial operations and public safety - could assert that such a matter falls outside both the jurisdiction of the Senate and the federal government itself.

Such a claim directly contradicts the constitutional duties of the legislative and executive branches to ensure *due process.* This is not a matter of Senator Cruz's opinion. It is a matter of record, now formally entered into the Emergency Record for federal review.

Senator Cruz's *refusal* closed the door to *any* potential review by the Senate Judiciary Committee. By disclaiming involvement, his office removed the Senate from the emergency oversight chain.

As a result, the matter has now procedurally escalated beyond the legislative branch and falls squarely on the United States Department of Justice, which now holds procedural duty to examine the matter, as *all* prior avenues for emergency remediation have been exhausted.

Senator Cruz’s oversight is not a political decision - it is now a matter of federal administrative failure.

The record will show that Senator Cruz, like the city, the county, and the state, was notified - and did nothing.

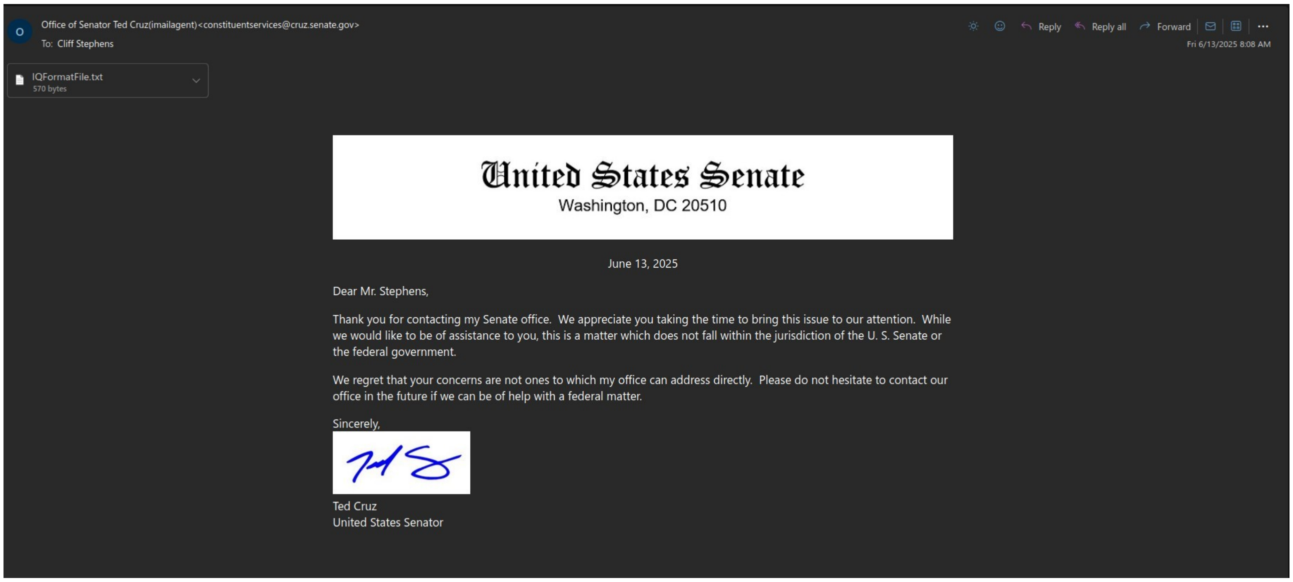
He joins the others in procedural abandonment and will remain documented as such for federal review and oversight.

Respectfully submitted,

Cliff Stephens

Linden Tx, 75563

# Appendix **A**: Correspondents Screenshot



Office of Senator Ted Cruz(imailagent)<constituentservices@cruz.senate.gov>
To: Cliff Stephens
Fri 6/13/2025 8:08 AM

IQFormatFile.txt
570 bytes

United States Senate
Washington, DC 20510

June 13, 2025

Dear Mr. Stephens,

Thank you for contacting my Senate office. We appreciate you taking the time to bring this issue to our attention. While we would like to be of assistance to you, this is a matter which does not fall within the jurisdiction of the U. S. Senate or the federal government.

We regret that your concerns are not ones to which my office can address directly. Please do not hesitate to contact our office in the future if we can be of help with a federal matter.

Sincerely,

Ted Cruz
United States Senator

**B:** Correspondents Transcript

**Dear Mr. Stephens,**

Thank you for contacting my Senate office. We appreciate you taking the time to bring this issue to our attention. While we would like to be of assistance to you, this is a matter which does not fall within the jurisdiction of the U. S. Senate or the federal government.

We regret that your concerns are not ones to which my office can address directly. Please do not hesitate to contact our office in the future if we can be of help with a federal matter.

Sincerely,

Ted Cruz
United States Senator

6/16/2025 11:19 AM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Jennifer Lucas

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

Cliff Stephens

PETITIONER

v.

TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

and CASS COUNTY

RESPONDENTS

353rd JUDICIAL DISTRICT

# Record Summary, Public Information Request,
# and Request for Preservation of Emergency Record for State and Federal Review

Filed June 16, 2025

To the Honorable Judge of Said Court:

Petitioner submits this filing to provide a comprehensive timeline and procedural summary of the events leading to the current federal-level review of the Cass County courthouse emergency. This record is submitted for the dual purpose of (1) documenting the history of attempted local remedy, obstruction, and statutory failure; and (2) formally placing the attached Public Information Request (PIR) on the Emergency Record now open in the 353rd District Court.

This filing does not request immediate relief, but instead functions as a preservation tool - ensuring that future state and federal authorities, including the Office of the Texas Attorney General and the United States Department of Justice, are presented with a clear and unbroken record of the matter's origin, development, and current procedural posture.

Petitioner respectfully requests that this filing, along with its exhibits, be placed in full on the Emergency Record for reference in all further jurisdictional, procedural, and oversight determinations.

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VI. Final Notice and Routing Instructions

VII. Notice to the Cass County Judge

VIII. Notice to the Cass County Commission and District 5 Judge

IX. Notice to the District Attorney, Courtney Shelton

X. Notice to the Cass County Sheriff

XI. Warning Against Retaliation and Law Enforcement Misconduct

XII. Public Information Request (Filed June 16, 2025)

  – Introduction

  – I. Venue Transfer and County Seat Authorization

  – II. Court Security Committee Compliance (SB 42)

  – III. Internal Coordination and Procedural Communications

## I. Procedural History of Escalation

On April 7, 2025, Petitioner filed an Emergency Petition in the 353rd District Court of Travis County, Texas, seeking to compel Cass County authorities to comply with their statutory duty to secure courthouse operations under Senate Bill 42 (SB 42). The petition was addressed directly to Cass County Judge Travis Ransom, who failed to respond. Instead, he unilaterally redirected the matter to the Cass County District Attorney, a party who was neither named in the filing nor procedurally authorized to respond.

The District Attorney, acting beyond the scope of her lawful authority, mischaracterized the emergency petition as a civil legal dispute rather than a procedural emergency governed by Chapter 418 of the Texas Government Code. Her response contained no reference to emergency law, no acknowledgment of SB 42 compliance obligations, and no dispute of the emergency's factual basis. She asserted a jurisdictional objection without supplying evidence, legal authority, or justification under emergency procedure.

This misdirection denied Petitioner access to the appropriate reviewing official and obstructed the lawful channel of review. In doing so, Cass County deprived Petitioner of the right to meaningful redress under the Fourteenth Amendment, including the rights to due process and equal protection under the law. The maneuver created a false channel of accountability, bypassing the required procedural process and establishing a two-tiered justice system.

Because the District Attorney failed to *dispute* the emergency, she confirmed its existence by omission. Her filing left the 353rd District Court with no factual grounds to dismiss the matter, thereby triggering a procedural obligation to escalate the petition to the Office of the Attorney General. The failure to address the merits of the emergency not only failed to resolve the issue- it deprived the Court of the very data it needed to reach a lawful disposition, constituting a procedural affront to the judicial process itself.

## II. Extended Escalation: OCA and Judge Alfonso Charles

Following the procedural error by the Cass County District Attorney, Petitioner served formal notice upon both the Office of Court Administration (OCA) and Regional Presiding Judge Alfonso Charles, advising them of the ongoing courthouse security breach and the petition's classification as an emergency under Texas law.

Both parties received clear procedural documentation outlining failures under Senate Bill 42 and the governing provisions of emergency management law. Neither office offered a response, acknowledgment, nor dispute. Instead, they exhibited the same pattern of institutional indifference already documented at the county level- thereby compounding the emergency's standing and further justifying escalation to higher authority.

This mirrored pattern of negligence by the Office of Court Administration and Regional Presiding Judge Alfonso Charles resulted in their procedural entrapment, further elevating the matter. Their failure to respond now operates as institutional acknowledgment by omission, confirming the emergency status through deliberate silence.

Because neither office engaged with nor corrected the procedural record, the matter now qualifies for review by the Texas Supreme Court, under the operative doctrine that no lower court or judicial administrative authority has disputed or resolved the emergency. Each instance of inaction has compounded the emergency record and forced escalation through the judicial hierarchy- in accordance with procedural *design*.

## III. Command Substitution and Federal Escalation

Following the refusal of Cass County officials to respond to the emergency as filed, and the subsequent failure of the Office of Court Administration and Regional Presiding Judge Alfonso Charles to engage, the matter was procedurally elevated beyond the scope of state-level correction. At this stage, Petitioner lawfully invoked Command Substitution- a procedural mechanism permitted under emergency governance principles, whereby action defaults to the next competent authority when those initially responsible fail to respond or act.

On June 12, 2025, after providing the Office of the Attorney General and the Texas Supreme Court a reasonable opportunity to intervene, Petitioner initiated escalation to the federal level by contacting the United States Senate Judiciary Committee. This contact was directed through the office of Senator Ted Cruz, a known member of the Committee and a relevant point of procedural access under federal oversight.

Rather than engage or refer the matter appropriately, Senator Cruz’s representative summarily dismissed the request for oversight- without reviewing the substance of the emergency, without dispute, and without referring the matter to appropriate federal or legal authorities. This response mirrored the pattern already exhibited by Cass County officials and, procedurally, constituted a federal default.

This failure by a member of the Senate Judiciary Committee closed the door on congressional oversight and activated the final escalation route: direct referral to the United States Department of Justice. As of this filing, the DOJ holds exclusive federal jurisdiction over the emergency, which remains State-Recognized, Undisputed, and Unresolved.

## IV. Failure to Respond to Public Information Request

On May 13, 2025, Cass County Judge Travis Ransom was served with a Public Information Request seeking confirmation of the status and existence of any Court Security Committee under his leadership, as required by Senate Bill 42.

As of the date of this filing, no response has been received.

This continued silence confirms that neither the Office of the Attorney General nor the Texas Supreme Court has received any documentation from Cass County that would resolve, dispute, or negate the emergency. The absence of a response operates as procedural validation that the emergency remains active, unaddressed, and legally substantiated.

By failing to disclose the existence- or nonexistence- of a required Court Security Committee, Cass County has defaulted once again, reinforcing the procedural record that the Cass County Courthouse remains in breach of mandated security protocol.

This ongoing failure constitutes not only a violation of state emergency procedure, but also a civil rights violation under the Fourteenth Amendment, specifically the rights to *due process* and equal protection under the law. The public is entitled to access a secure, lawfully designated courthouse and to participate in judicial proceedings conducted at a legally authorized venue.

Under a State-Recognized, Undisputed Emergency, this violation is no longer theoretical- it is documented, uncontested, and actively worsening. Cass County’s continued refusal to respond, correct the record, or restore lawful judicial function now places the matter squarely within the jurisdiction of both the Texas Supreme Court and the United States Department of Justice.

## V. Federal Focus: Venue Integrity and Procedural Transfer

The matter now rests with the United States Department of Justice. The central question is clear: Has the Cass County Commission lawfully transferred venue to the Justice Center?

This Public Information Request arises from numerous documented anomalies within Cass County’s command structure. If renovations at the Cass County Courthouse are complete, and the District 5 Judge continues to conduct court proceedings at the Justice Center, then the Justice Center must, by law, be established as the procedurally valid venue.

For that to be true, there must exist a verifiable paper trail, a lawful vote, and official records confirming the transfer of venue in compliance with statutory requirements.

The Cass County Courthouse was rededicated in 2012, and the Cass County Clerk currently maintains it as a fully operational facility. Local historical memory and institutional practice both reflect that the relocation to the Justice Center was intended to be temporary, limited only to the duration of renovation and not adopted as a permanent venue by lawful means.

If the District 5 Judge at the time of relocation failed to follow the required legal procedure to make the move permanent, then the Cass County Justice Center cannot be recognized as a lawful venue. Venue is a matter of law- not routine, convenience, or administrative preference.

If the Cass County Commission has permitted the District 5 Judge to remain offsite for reasons of convenience, that alone is insufficient under Texas law. Venue cannot be altered by habit or informal practice. There must be formal action, a lawful vote, and documented approval recorded through proper governmental channels.

This matter now rises to the level of federal concern, because if federal laws have been enforced in a facility with no legal status as a courthouse, then every criminal and civil proceeding conducted at the Justice Center since 2012 may be subject to venue challenge, reversal, or constitutional review.

The following Public Information Request seeks to determine whether Cass County complied with applicable law in altering the official location of its court operations.

## VI. Final Notice and Routing Instructions

As with the prior Public Information Request directed to the Cass County Judge, the response to this Request is not to be returned solely to Petitioner. Instead, all responsive materials must be:

1. Delivered directly to Petitioner at the contact address on record, and
2. Filed into the active emergency record currently open in the 353rd District Court of Travis County, Texas under Cause No. D-1-GN-25-002397.

The purpose of this dual submission is to ensure state and federal oversight over the procedural handling of this matter. The emergency record serves as a real-time legal archive governed by Chapter 418 of the Texas Government Code and other applicable emergency statutes.

This Public Information Request, in its entirety, will also be submitted to the United States Department of Justice, which now holds supervisory review authority over whether the Cass County Commission and affiliated officials possess the lawful authority to enforce federal law from their current judicial facility.

Failure to route responses to both Petitioner and the emergency record will be documented as an attempt to circumvent lawful review channels and will be treated as procedural evasion.

## VII. Notice to the Cass County Judge

You are instructed to respond to the outstanding PIR regarding the Court Security Committee by either:

1. Filing your answer into the Emergency Record in the 353rd District Court (Cause No. D-1-GN-25-002397),
2. Or by directly contacting the Texas Attorney General's Office to confirm the existence, activity, or inactivity of said Committee.

## VIII. Notice to the Cass County Commission and District 5 Judge

You are hereby given 10 business days to *begin* complying with this Public Information Request. Deadline: June 26, 2025.

Failure to respond or produce lawful records confirming the transfer of court venue to the Cass County Justice Center will be treated as procedural abandonment of venue authority. If the Justice Center has been used merely out of convenience- without a formal vote, resolution, or public record- then continued use of that facility for judicial proceedings may constitute grounds for removal, disqualification, or legal challenge under both state and federal law.

## IX. Notice to the District Attorney, Courtney Shelton

You acted outside the scope of your lawful authority by intervening in a pending Emergency Petition concerning public safety. You were not named as a party to the filing, were not authorized to respond, and did so without contesting the facts or the declared emergency status.

Accordingly, you are hereby directed to:

1. Review the emergency record currently lodged in the 353rd District Court of Travis County, and
2. Recuse yourself from any further procedural involvement in this matter unless and until explicitly authorized to proceed by the Office of the Texas Attorney General or the Texas Supreme Court.

Your continued participation absent such authorization may constitute further procedural interference and will be documented accordingly.

## X. Notice to the Cass County Sheriff

Although not named as a primary respondent in the original emergency filing, you remain directly responsible for the safety and security of the Cass County Courthouse and its occupants. Until such time as you are presented with lawful documentation confirming that court venue has been permanently and properly transferred to the Cass County Justice Center, you are hereby instructed to assign a deputy of any caliber to stand guard at the Cass County Courthouse during courthouse operations.

If you choose to disregard this duty, and independently determine that the Courthouse does not warrant protection, such action may constitute gross neglect of duty under Texas Local Government Code § 87.011, and may serve as grounds for removal from office.

## XI. Warning Against Retaliation and Law Enforcement Misconduct

Petitioner hereby places the Cass County Sheriff’s Department and all subordinate deputies on formal notice: individuals who expose institutional failures- particularly in matters involving emergency filings and courthouse security- are historically vulnerable to retaliatory contact from local law enforcement. Given the scope and severity of the filings now active on the Emergency Record, Petitioner anticipates such retaliation is not only possible but likely.

To that end, Petitioner has initiated a personal procedural log to document and preserve any and all future interactions with Cass County law enforcement. Petitioner further states for the record that they possess no criminal history, no outstanding citations, and no known allegations of misconduct. Accordingly, any unprompted or excessive law enforcement contact from this point forward will be treated as retaliatory in nature.

In the event of such contact, Petitioner will immediately refer the matter to the Texas Rangers, Company B, for independent review. This includes, but is not limited to, detentions, stops, or accusations initiated by the Cass County Sheriff’s Department or its deputies.

For example: if Petitioner is pulled over and accused of operating a vehicle under the influence, Petitioner will refuse all field sobriety tests and demand that a full-panel blood analysis be administered as the primary evidentiary tool. Only after the blood panel is complete shall a calibrated breathalyzer test be accepted. All findings, recordings, and officer conduct associated with the encounter will be documented and prepared for formal submission to Company B, Texas Rangers.

Should any question arise regarding oversight of these encounters, inquiries may be directed to Major Bobo, Texas Rangers, Company B. This safeguard is now formally placed on record and attached to the active emergency file.

## XII. Copy of Public Information Request

Filed and Delivered: June 16, 2025

Delivery of this filing constitutes formal delivery and preservation of the attached Public Information Request (PIR). All named officials are considered notified by record, and statutory deadlines under the Texas Public Information Act are now active.

This PIR is entered into the Emergency Record of the 353rd District Court for the purpose of judicial preservation, state compliance review, and federal oversight by the United States Department of Justice. The following pages reflect the full and exact copy of the PIR as delivered.

Public Information Request

Submitted: June 16, 2025

Filed into Emergency Record – 353rd District Court, Travis County

Cause No. D-1-GN-25-002397

## Introduction

Petitioner submits the following Public Information Request (PIR) pursuant to the Texas Public Information Act (Texas Government Code Chapter 552). This PIR is formally entered into the Emergency Record of the 353rd District Court of Travis County and serves as both (1) a lawful request for production of public records and (2) a procedural record for state and federal oversight.

This PIR seeks to determine whether Cass County officials, local authorities, and judicial actors have complied with their legal obligations under Senate Bill 42, emergency law, and constitutional due process in the management of courthouse operations, venue designation, and public safety.

This request is grounded in an active, State-Recognized, Undisputed, and Unresolved Emergency. The records sought herein are essential to determining whether ongoing judicial activity in Cass County is occurring in a lawful venue, under proper statutory oversight, and without placing the safety or constitutional rights of the public at risk.

Pursuant to the Texas Public Information Act, officials are required to begin complying with this request within 10 business days.
Deadline: June 26, 2025.

All responsive materials must be:

1. Delivered directly to Petitioner at the contact address on record; and
2. Filed into the Emergency Record in the 353rd District Court for review by the Office of the Attorney General and the United States Department of Justice.

## I. Venue Transfer and County Seat Authorization

Petitioner requests the following public records related to the relocation of court operations from the Cass County Courthouse to the Cass County Justice Center, and any documentation concerning the status of the county seat:

1. Any vote, resolution, or minutes from the Cass County Commissioners Court authorizing the relocation of court proceedings- either temporarily or permanently- from the Cass County Courthouse to the Justice Center.
2. Any judicial order or written directive issued by the District 5 Judge or any presiding district judge formalizing the venue change.
3. Any filing or certification with a state authority, including the Office of Court Administration, designating the Justice Center as the official location for District Court proceedings.
4. Any public notice or citizen communication issued by Cass County or its courts regarding the relocation or reclassification of the courthouse venue.
5. Any document confirming the legal designation of the county seat as required under Texas law, or records showing a lawful change to the location of the county seat.

Failure to produce the above will be treated as procedural confirmation that no lawful transfer occurred, and that venue at the Justice Center lacks statutory authority.

## II. Court Security Committee Compliance (SB 42)

Petitioner requests public records related to the Cass County Court Security Committee. As required by Senate Bill 42 (85th Legislature, 2017) and its amendments to the Texas Government Code and Code of Criminal Procedure Article 102.017, each county is required to maintain an active Court Security Committee and to develop formal courthouse security policies designed to protect judges, court staff, and the public.

This request covers the period from January 1, 2022 to present. The following records are requested:

1. Any documentation confirming the formation, existence, or appointment of a Court Security Committee in Cass County.
2. Any meeting agendas, minutes, or attendance records from the Committee between 2022 and 2025.
3. Any recommendations, reports, or decisions issued by the Committee regarding the security of the Cass County Courthouse or Justice Center.
4. Any communications between the Committee and the Cass County Judge, District 5 Judge, or law enforcement related to courthouse security planning, staffing, or abandonment.
5. Any request for increased security or related concern submitted by the Cass County Clerk or her staff, and any record showing how or whether that request was addressed.

Failure to produce these records will be treated as procedural confirmation that Cass County has not maintained a functioning Court Security Committee, as required by law.

## III. Internal Coordination and Procedural Communications

Petitioner requests all emails, messages, memoranda, or written communications created or received between September 1, 2024 and June 26, 2025 by any of the following officials:

- Cass County District Attorney
- Cass County Judge
- District 5 Judge
- City Manager of the City of Linden, Texas
- Mayor of the City of Linden, Texas

This request applies to all communications sent or received via official email accounts, work-issued phones or devices, or internal government messaging systems, whether originating from or directed to the above-listed officials.

Petitioner specifically requests that all communications be searched for the following terms (case-insensitive):

Cliff

Cliff Stephens

Declared

Emergency

353

353rd

Travis County

Austin

Water

Henley

All communications that contain one or more of the above-listed terms must be produced in full, including the entire email or message thread- not just the message in which the term appears. This includes the originating message, all replies, CC/BCC participants, attachments, and timestamps.

Petitioner further requests that all responsive messages include metadata, including but not limited to:

- Sender and recipient names and addresses
- Date and time sent
- Subject line
- Message ID and thread ID
- Attachment filenames (if any)

Failure to conduct a keyword search using the above terms, or to produce full threads and metadata, will be treated as intentional evasion of the Texas Public Information Act, and may result in referral to the Texas Attorney General, the Texas Supreme Court, or the United States Department of Justice for further review.

Respectfully submitted,

Cliff Stephens

Linden, Texas 75563

Pro Se Petitioner

Filed: June 16, 2025

6/17/2025 2:43 PM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Candy Schmidt

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

Cliff Stephens

PETITIONER

v.

TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

and CASS COUNTY

RESPONDENTS

353rd JUDICIAL DISTRICT

and

DUTY JUDGE

**URGENT**

Outline of Petitioner's Basis for Immediate Relief Under Natural Emergency Conditions

**SUPPLEMENTAL STATEMENT OF RATIONALE**

**Re: Emergency Petition – Cause No. D-1-GN-25-002397**

**TO THE HONORABLE JUDGE OF SAID COURT**

**Filing Note to the 353rd District Judge:**

Due to the nature of the threat and the time-sensitive danger involved, Petitioner respectfully submits this filing for entry into the Emergency Record. While this Court may issue any appropriate guidance, Petitioner acknowledges that emergency coordination of this nature falls within the immediate function of the Duty Judge. Petitioner respectfully addresses the active Duty Judge to respond at this stage, as they are best positioned to provide expedient relief and prevent further risk to life, property, and public safety. This is not a test.

**TO THE HONORABLE JUDGE OF SAID COURT AND THE ACTIVE DUTY JUDGE**

Petitioner submits the following to explain the underlying reasoning and lived experience that led to the March 3, 2025, Emergency Declaration filed in the Cass County Courthouse. These facts, while difficult to document in official record, remain the logical basis for every subsequent action taken by Petitioner to protect life, infrastructure, and public trust.

Upon purchasing the subject property in Febuary 2024, Petitioner experienced two unsolicited warnings from two separate individuals - neither known to Petitioner - on two different occasions. Both individuals delivered the *exact* same warning: *“The City is waiting for you to begin repairing your foundation so they can turn around and sue you for damaging their broken water line.”*

At the time of purchase, the building’s structural damage appeared minimal - so minor, in fact, that no immediate repairs were planned. Petitioner had no intention of pursuing reinforcement, as the foundation was stable by all practical measures. However, over the following six months, the structure began to deteriorate rapidly. The wall shifted over four inches in that short time and continues to move to this day.

Out of concern for both personal safety and public risk, Petitioner sought professional engineering assessments (1). It was not Petitioner who declared the situation an emergency - it was the engineer, who made clear that the wall posed an imminent threat of collapse. Petitioner was handed an emergency and did not want to act unilaterally. To proceed lawfully and transparently, Petitioner filed a formal Emergency Declaration (2) and approached the City Manager to coordinate next steps.

The former City Manager, Steven Barnes, was unhelpful and displayed poor professional judgment. He was recently *removed* from his position without public explanation. His replacement, Megan Kirkland, was shown the same reports and filings June 17th and respondend exactly as the previous

City Manager. When Petitioner brought up temporary access to city-owned land in order to dismantle the wall safely, she did not respond. Instead, she asked whether Petitioner had commissioned an *inspection before buying the property* - shifting responsibility away from the known, documented hazard and onto the Petitioner personally.

Petitioner had no choice but to begin bracing the wall by encroaching upon the easement. This action was taken out of necessity and with the full support of neighboring property owners - all of whom submitted signed statements included in the original filing. The bracing was always intended as a temporary measure. It is no longer sufficient. The wall continues to shift with every rain.

Petitioner's intent has never been to sue the City. The damages, while costly, are not worth draining a small community of its resources. But the City's refusal to acknowledge the emergency for fear of some reprisal - now creates the perception of misrepresentation. Petitioner believes this is being *coached,* subtly or otherwise, by the Cass County Judge, who remains a named party in the Emergency Petition and operates closely with the City.

Petitioner cannot wait any longer. Each passing day is an insult to the safety of those who live and work near this hazard. The wall is deteriorating. Gas lines lie directly beneath it. A collapse could result in fire, injury, or death. It would not be the first gas explosion in Texas this year.

Petitioner's request has always been narrow and clear: temporary legal permission to cross the easement and safely dismantle the wall. What Petitioner truly seeks is *assurance* - that this municipality, whose conduct has shown a pattern of avoidance and indifference and now melovolents, will not turn around and use this emergency against him in court.

While Petitioner cannot prove malicious intent, he cannot ignore what he has been warned: twice, by unrelated individuals, that the City may be waiting for him to act - only to follow with litigation. Petitioner does not ask for the City's help repairing the damage. He asks only for the freedom to address the danger without fear of reprisal.

The City has refused to respond. The County Judge has refused to respond. Petitioner now stands between a wall, a gas line, and a government unwilling to acknowledge the risk because it might make them look bad.

This is not litigious opportunism. It is self-preservation - for Petitioner, and for the City of Linden. Petitioner is not seeking compensation or planning to bring legal action against the City. The only goal is to begin emergency repairs before the risk becomes irreversible.

However, Petitioner cannot be expected to waive all future rights in the event of retaliation or blame arising from work that should have been supported in the first place.

**Clarification of Emergency Type:**

Petitioner respectfully distinguishes between two concurrent emergencies now appearing on the emergency record.

1. **Procedural Emergency**: The Cass County Courthouse — a functioning judicial facility — is operating without any security personnel, in direct violation of SB 42. This is an institutional hazard, created by a breakdown in governance, oversight, and compliance. It is serious, ongoing, and subject to deliberation by this Court, the Attorney General, and the Texas Supreme Court.
2. **Natural Emergency**: The present filing involves a rapidly deteriorating physical structure — a collapsing masonry wall situated directly above an active gas line. This is not a matter of policy or interpretation. It is a real-world hazard governed by gravity and physics. The risk of fire or fatal injury increases daily. Corrective action is no longer optional — it is urgent.

Petitioner compares the situation to an aircraft that has lost an engine: a crash is inevitable unless intervention occurs now. This is not about blame or liability. It is about permission to act before lives are lost.

Petitioner regrets not pursuing this emergency declaration sooner but does so now in earnest, with supporting evidence, neighbor consent, and professional documentation.

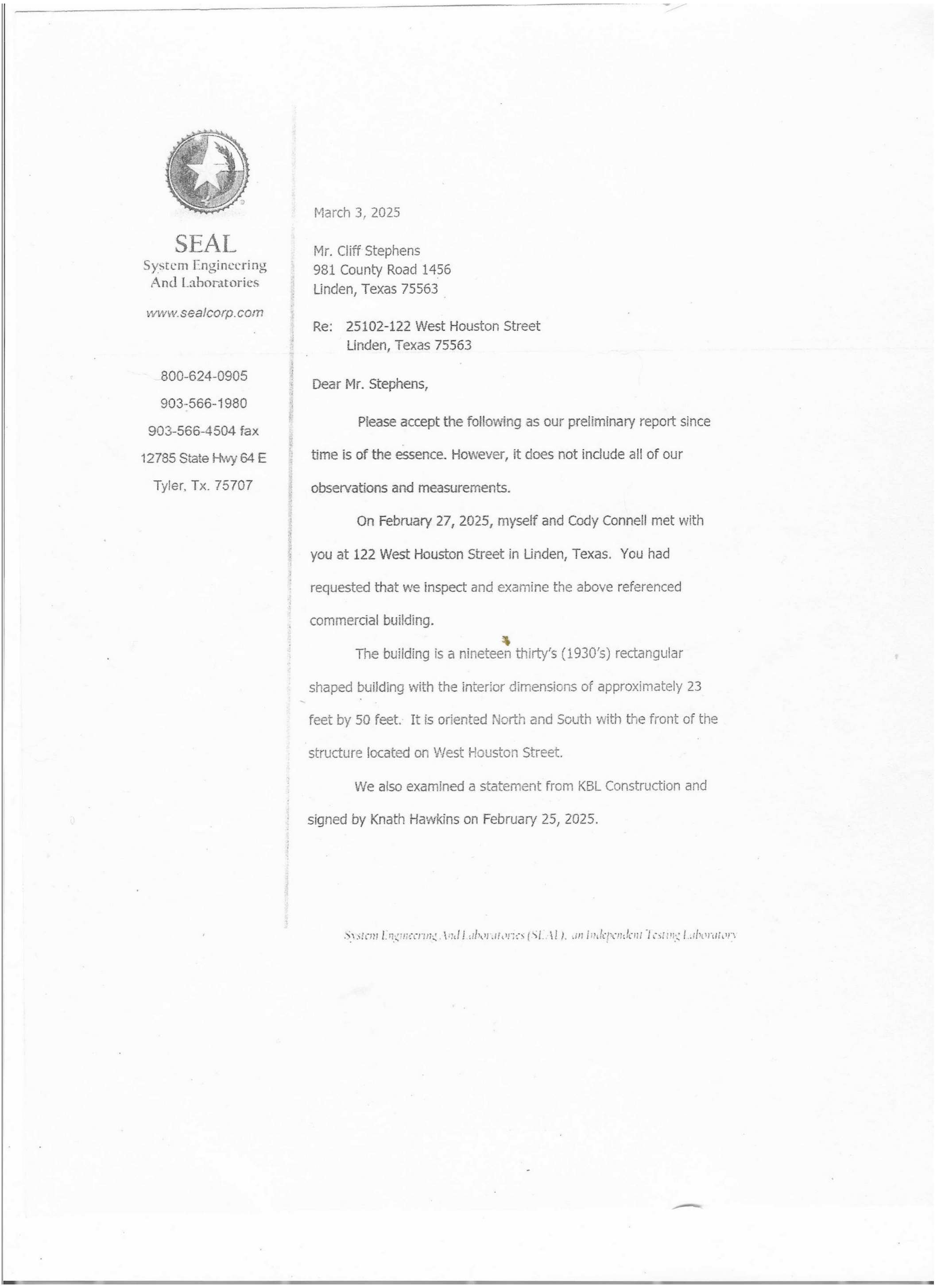
Petitioner asks that this Court — or the duty judge, at their discretion — grant immediate relief – in the most expediant form necessary so mitigation effors may begin immediately.

Respectfully,

Cliff Stephens

Linden Tx, 75563

(1)



SEAL
System Engineering
And Laboratories

www.sealcorp.com

800-624-0905
903-566-1980
903-566-4504 fax
12785 State Hwy 64 E
Tyler, Tx. 75707

March 3, 2025

Mr. Cliff Stephens
981 County Road 1456
Linden, Texas 75563

Re: 25102-122 West Houston Street
Linden, Texas 75563

Dear Mr. Stephens,

Please accept the following as our preliminary report since time is of the essence. However, it does not include all of our observations and measurements.

On February 27, 2025, myself and Cody Connell met with you at 122 West Houston Street in Linden, Texas. You had requested that we inspect and examine the above referenced commercial building.

The building is a nineteen thirty's (1930's) rectangular shaped building with the interior dimensions of approximately 23 feet by 50 feet. It is oriented North and South with the front of the structure located on West Houston Street.

We also examined a statement from KBL Construction and signed by Knath Hawkins on February 25, 2025.

We found that the brick wall had significant damage as a result of settlement of the Northeast corner of the structure. It is apparent that the structure is suffering from damage as a result of significant soil subsidence beneath the foundation. In fact, the damage is so severe that the failure and collapse of the wall is imminent. When the wall collapses it is likely to cause damage to adjacent utilities and building structures. If utilities areas are damaged, then a fire may result.

For the above reasons it is important to immediately install shoring both internal to the building for support of the roof structure and on the exterior to brace against the continuing failure of the brick wall.

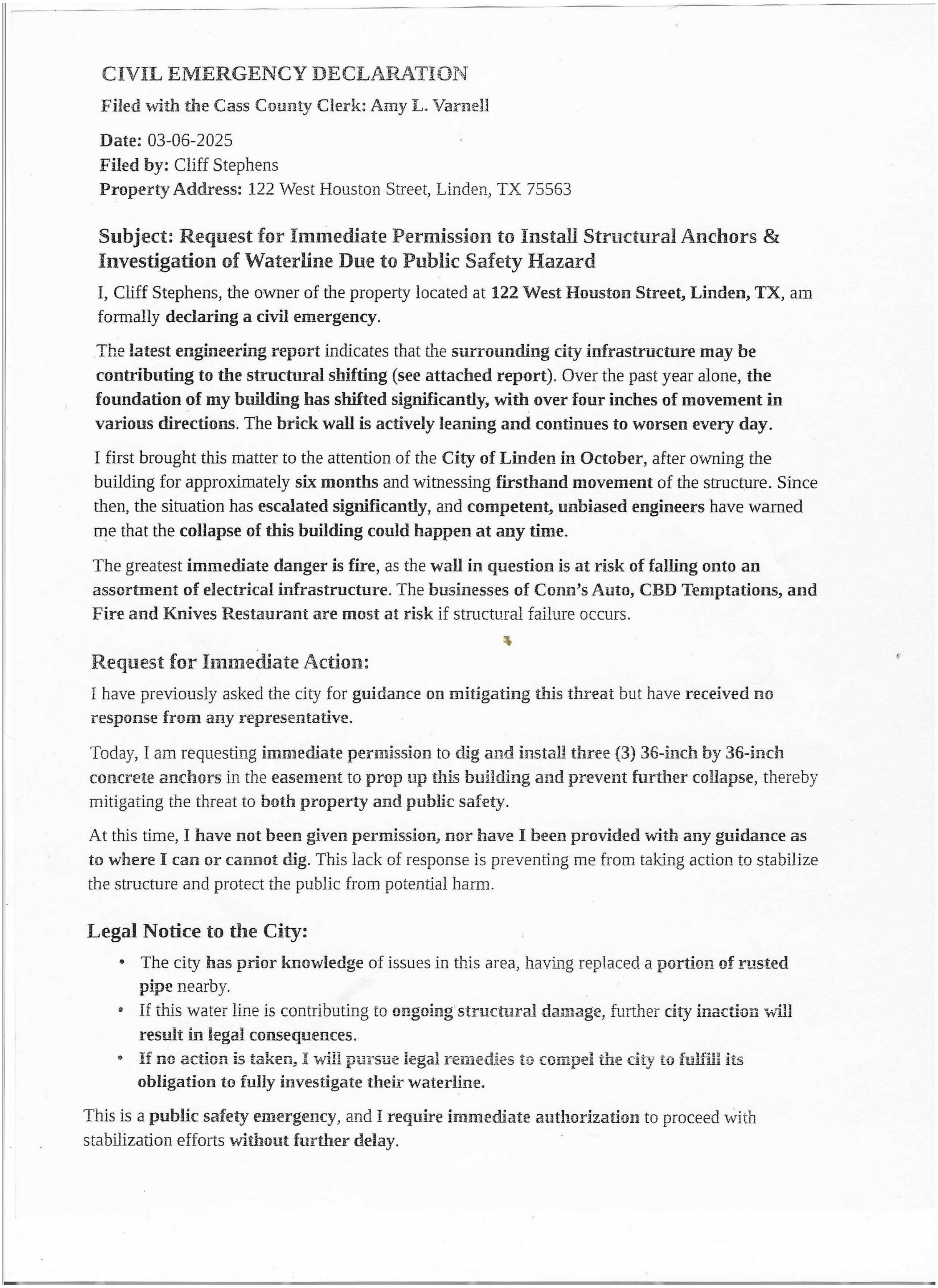
If you have any questions, please do not hesitate to call.

Very truly yours,

Frank Johnson

Frank Johnson
President/CEO
System Engineering And Laboratories (SEAL)

(2)



# CIVIL EMERGENCY DECLARATION

**Filed with the Cass County Clerk: Amy L. Varnell**

**Date:** 03-06-2025
**Filed by:** Cliff Stephens
**Property Address:** 122 West Houston Street, Linden, TX 75563

## Subject: Request for Immediate Permission to Install Structural Anchors & Investigation of Waterline Due to Public Safety Hazard

I, Cliff Stephens, the owner of the property located at **122 West Houston Street, Linden, TX**, am formally **declaring a civil emergency**.

The **latest engineering report** indicates that the **surrounding city infrastructure may be contributing to the structural shifting (see attached report)**. Over the past year alone, **the foundation of my building has shifted significantly, with over four inches of movement in various directions**. The **brick wall is actively leaning and continues to worsen every day.**

I first brought this matter to the attention of the **City of Linden in October**, after owning the building for approximately **six months** and witnessing **firsthand movement** of the structure. Since then, the situation has **escalated significantly**, and **competent, unbiased engineers** have warned me that the **collapse of this building could happen at any time**.

The greatest **immediate danger is fire**, as the **wall in question is at risk of falling onto an assortment of electrical infrastructure**. The **businesses of Conn's Auto, CBD Temptations, and Fire and Knives Restaurant are most at risk** if structural failure occurs.

## Request for Immediate Action:

I have previously asked the city for **guidance on mitigating this threat** but have **received no response from any representative**.

Today, I am requesting **immediate permission** to **dig and install three (3) 36-inch by 36-inch concrete anchors** in the **easement** to **prop up this building and prevent further collapse**, thereby mitigating the threat to **both property and public safety**.

At this time, **I have not been given permission, nor have I been provided with any guidance as to where I can or cannot dig**. This lack of response is preventing me from taking action to stabilize the structure and protect the public from potential harm.

## Legal Notice to the City:

- The city **has prior knowledge** of issues in this area, having replaced a **portion of rusted pipe** nearby.
- If this water line is contributing to **ongoing structural damage**, further **city inaction will result in legal consequences**.
- **If no action is taken, I will pursue legal remedies to compel the city to fulfill its obligation to fully investigate their waterline.**

This is a **public safety emergency**, and I **require immediate authorization** to proceed with stabilization efforts **without further delay**.

**Filed With:**

Cass County Clerk's Office
P.O. Box 449
Linden, TX 75563

**Signature:** ________________________________
**Date:** ________________________________

**Signed:**
Cliff Stephens
Phone: 903-665-0685
Email: cliff@anexso.life

6/17/2025 2:56 PM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Candy Schmidt

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

Cliff Stephens

PETITIONER

v.

TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

and CASS COUNTY

RESPONDENTS

353rd JUDICIAL DISTRICT

and

DUTY JUDGE

**URGENT**

# Emergency Motion for Protective Entry and Limited Immunity

TO THE HONORABLE JUDGE OF SAID COURT:

Filed with both the 353rd District Court and the Duty Judge, this motion requests immediate review and relief by whichever judicial officer is available to respond first. Petitioner does not seek preference - only protection before harm occurs.

Petitioner respectfully files this Motion for Emergency Declaratory Judgment and Protective Order, pursuant to Texas Civil Practice & Remedies Code Chapter 37, and in support thereof would show the Court the following:

## I. INTRODUCTION

Petitioner is the owner of a historic structure located in Linden, Texas, situated directly above a failed municipal water line. A previously minor foundational issue has now escalated into a life-safety emergency. A load-bearing exterior wall is visibly leaning and actively deteriorating. It is braced, but that bracing was never intended to be permanent. Temporary measures will no longer suffice. The wall must be taken down immediately.

Despite repeated emergency filings, public safety warnings, engineering reports, and requests for lawful coordination, Petitioner has received no formal response from the City of Linden, the Cass County Judge, or any responsible authority. Meanwhile, the danger continues to increase.

## II. NATURE OF RELIEF SOUGHT

Petitioner seeks:

1. A **Declaratory Judgment** affirming that Petitioner has the legal right to temporarily enter the public utility easement owned by the City of Linden for the sole purpose of safely dismantling the compromised wall;
2. A **Protective Order** narrowly limiting the City of Linden, Cass County, or any affiliated entity from initiating civil or criminal action against Petitioner solely for entering the public easement in good faith and with due care to perform necessary emergency mitigation, including dismantling the compromised wall. This request does not seek immunity for negligence or misconduct - only protection from retaliation arising from Petitioner's attempt to address a known and escalating hazard that the City and County have failed to remedy.

This relief is requested strictly as a defensive measure. Petitioner is not asking the City to solve the problem. Petitioner is asking for the right to solve it - safely, lawfully, and without fear of retaliatory litigation.

## III. FACTUAL BASIS

- The wall in question is visibly unstable. It has shifted over four inches in six months.
- The structure sits directly over a degraded water line and next to a live gas line.
- All adjacent property owners who share the easement have provided written consent, filed in the record.
- Petitioner has already partially entered the easement to erect temporary bracing out of necessity.
- Petitioner has requested written or verbal permission to proceed multiple times. No reply has been received.
- The Cass County Judge has not responded to any filings. The District 5 Judge cannot be located.
- The City of Linden has now acknowledged the situation but appears to be navigating toward risk avoidance rather than life safety.

Petitioner’s requests have been practical, minimal, and supported by engineering assessment. If the wall collapses - as it appears increasingly likely to do - it may rupture the gas line, causing serious injury, death, or fire damage to neighboring structures.

## IV. LEGAL GROUNDS

Pursuant to Texas Civil Practice & Remedies Code § 37.003:

> "A court of record within its jurisdiction has power to declare rights, status, and other legal relations whether or not further relief is or could be claimed."

Further, under emergency management principles and state duty of care obligations, failure to act when risks are known constitutes dereliction. Petitioner has sought permission in every way available. Silence, obstruction, or refusal to respond should not leave Petitioner liable for damages when acting in good faith to protect life and property.

## V. PRAYER

WHEREFORE, PREMISES CONSIDERED, Petitioner respectfully requests that this Court:

1. GRANT this Motion;
2. ISSUE a Declaratory Judgment affirming Petitioner's right to temporarily enter the utility easement and dismantle the wall;
3. ISSUE a Protective Order shielding Petitioner from liability or litigation arising solely from that action;
4. GRANT such other and further relief as the Court deems just and proper.

URGENTLY SUBMITTED ,

Cliff Stephens

Pro Se Petitioner

Linden, Texas

Cliff@anexso.life

Date: June 17, 2025

6/18/2025 1:29 AM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Stephanie Garza

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

Cliff Stephens

PETITIONER

V

TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

and CASS COUNTY

RESPONDENTS

353rd JUDICIAL DISTRICT

# FURTHER NOTICE OF INSTITUTIONAL NEGLECT

ft. Rep. Gary VanDeaver

TO THE HONORABLE JUDGE OF SAID COURT

Petitioner now brings to light yet another attempt to resolve this emergency without further court intervention.

On April 16, 2025, Petitioner contacted Representative Gary VanDeaver requesting assistance in securing a verbal emergency decree - specifically, permission to stabilize a collapsing wall by accessing a state-owned easement currently obstructed by municipal refusal. The Representative's office was provided full background, including the engineer's report, and responded by recommending that Petitioner seek legal counsel - a response entirely inappropriate given the matter's emergency nature and non-legal posture.

This moment is emblematic of the institutional neglect that now *defines* the Texas judicial and executive apparatus. From the Supreme Court to the Attorney General, from the Governor to the Regional Judiciary, silence has replaced duty. Who is going to speak when the status que set by the leaders is silence. Petitioner has now endured refusals, deflections, and derelictions from every available branch of Texas government, each one mirroring the other in cowardice and avoidance.

It is not incidental that Representative Gary VanDeaver is a known supporter of the Cass County Judge, having publicly endorsed him as a friend and ally.

What we are witnessing is not public service, but the use of public office to protect personal networks. Why must the people of Texas continue to suffer under leaders who mistake silence for leadership and self-preservation for public service? This exchange is not an exception - it is the standard. It exemplifies the collapse of basic responsibility from the local level to the top of the state.

This is why the U.S. Department of Justice must intervene. The State of Texas has demonstrated neither the will nor the capacity to respond. The system is broken by the standards set by the Govenors, Supreme Court, and Office of The Attouney General.

To Representative VanDeaver: Congratulations on your long list of legislative achievements. You are, without question, a perfect reflection of Texas' current leadership - and a living embodiment of the Attorney General's Office.

Exhibit A – Email Correspondence with Rep. VanDeaver's Office (April 2025)

From: District1.VanDeaver@house.texas.gov

To: Cliff Stephens

Date: Wednesday, April 16, 2025

Time: 10:51 PM CST

Subject: Response to Emergency Request for Verbal Decree

Dear Representative Van Deaver,

I urgently need your assistance to resolve a civil emergency in Linden, Texas, involving a building at imminent risk of collapse at 122 West Houston Street. The petition, filed in the 353rd District Court of Travis County and served to the Texas Department of Emergency Management (TDEM) in Austin on April 9th, 2025, was also delivered to your New Boston office on April 11th. Your intervention is now vital to allowing this process to move forward.

The building's wall is structurally compromised, posing a severe threat due to its proximity to active gas lines and an auto supply store with highly flammable materials. Engineering assessments confirm that collapse is inevitable without immediate stabilization, risking fire or catastrophic damage. To mitigate this, I have constructed temporary bracing in an adjacent alleyway (likely municipally owned, though records are unclear). I now urgently need a temporary emergency condemnation decree to retroactively authorize this bracing and permit further stabilization until the wall is rebuilt.

Cass County Judge Travis Ransom has not responded to the petition in over 30 days, contrary to Texas law requiring at least a verbal acknowledgment to confirm receipt and capacity to act. This delay leaves the emergency unresolved, preventing formal authorization. Any municipal official—the Mayor, City Manager, or Judge Ransom—could provide verbal permission for the decree, but have not.

I respectfully request that you contact Judge Ransom to secure a verbal response. Please relay this response to your Chief of Staff, who can forward it to Mr. Nathan Carroll, TDEM Northeast Texas Regional Director, for delivery to me. Your action will legitimize the bracing, enable continued efforts to secure the situation.

On March 11, 2025, I transferred control of this emergency to TDEM. All correspondences should go through Mr. Nathan Carroll (contact below). For additional details, please contact me at 122 West Houston Street, Linden, TX 75563, or via TDEM.

Thank you for your leadership in addressing this matter.

Respectfully,

Cliff Stephens

122 West Houston Street

Linden, TX 75563

TDEM Contact: Nathan Carroll, Northeast Texas Regional Director DC 5 Mt. Pleasant

(903) 241-0555 Nathan.Carroll@tdem.texas.gov

Attachments:

- Emergency filing
- Engineering assessment report

Exhibit B – Email Response from District 1 Representative's Office

Sender: District1 VanDeaver <District1.VanDeaver@house.texas.gov>

Recipient: Cliff Stephens

Date: Wednesday, April 16, 2025

Time: 10:51 PM CST

Subject: Clarification on Representative Authority in Emergency Petition

Mr. Stephens –

Why do you believe that Rep. VanDeaver's involvement would allow your petition to "move forward." I'm no lawyer, but if you've filed an official request for action, I believe you have to let that process work through its procedures.

What do you believe that Rep. VanDeaver has the authority to do in this matter?

Thanks for providing additional information. If you have not retained a lawyer to work with in this matter, I suggest that you consider doing so.

Trish

*Trish*

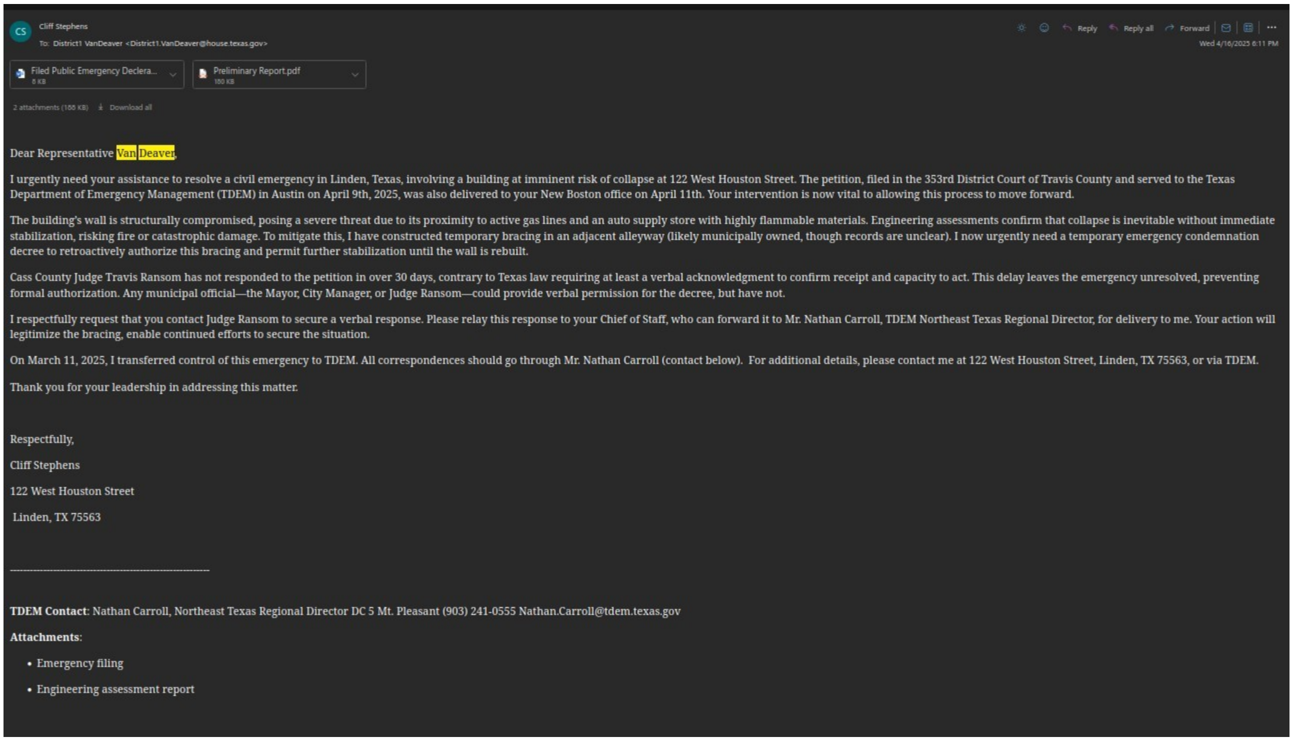
*Trish Conradt*

Chief of Staff

Rep. Gary VanDeaver

512-463-0692

# Exhibit A – Screenshot of Email Exchange with Rep. VanDeaver’s Office



Cliff Stephens

To: District1 VanDeaver <District1.VanDeaver@house.texas.gov>

Wed 4/16/2025 6:11 PM

Dear Representative Van Deaver,

I urgently need your assistance to resolve a civil emergency in Linden, Texas, involving a building at imminent risk of collapse at 122 West Houston Street. The petition, filed in the 353rd District Court of Travis County and served to the Texas Department of Emergency Management (TDEM) in Austin on April 9th, 2025, was also delivered to your New Boston office on April 11th. Your intervention is now vital to allowing this process to move forward.

The building’s wall is structurally compromised, posing a severe threat due to its proximity to active gas lines and an auto supply store with highly flammable materials. Engineering assessments confirm that collapse is inevitable without immediate stabilization, risking fire or catastrophic damage. To mitigate this, I have constructed temporary bracing in an adjacent alleyway (likely municipally owned, though records are unclear). I now urgently need a temporary emergency condemnation decree to retroactively authorize this bracing and permit further stabilization until the wall is rebuilt.

Cass County Judge Travis Ransom has not responded to the petition in over 30 days, contrary to Texas law requiring at least a verbal acknowledgment to confirm receipt and capacity to act. This delay leaves the emergency unresolved, preventing formal authorization. Any municipal official—the Mayor, City Manager, or Judge Ransom—could provide verbal permission for the decree, but have not.

I respectfully request that you contact Judge Ransom to secure a verbal response. Please relay this response to your Chief of Staff, who can forward it to Mr. Nathan Carroll, TDEM Northeast Texas Regional Director, for delivery to me. Your action will legitimize the bracing, enable continued efforts to secure the situation.

On March 11, 2025, I transferred control of this emergency to TDEM. All correspondences should go through Mr. Nathan Carroll (contact below). For additional details, please contact me at 122 West Houston Street, Linden, TX 75563, or via TDEM.

Thank you for your leadership in addressing this matter.

Respectfully,

Cliff Stephens

122 West Houston Street

Linden, TX 75563

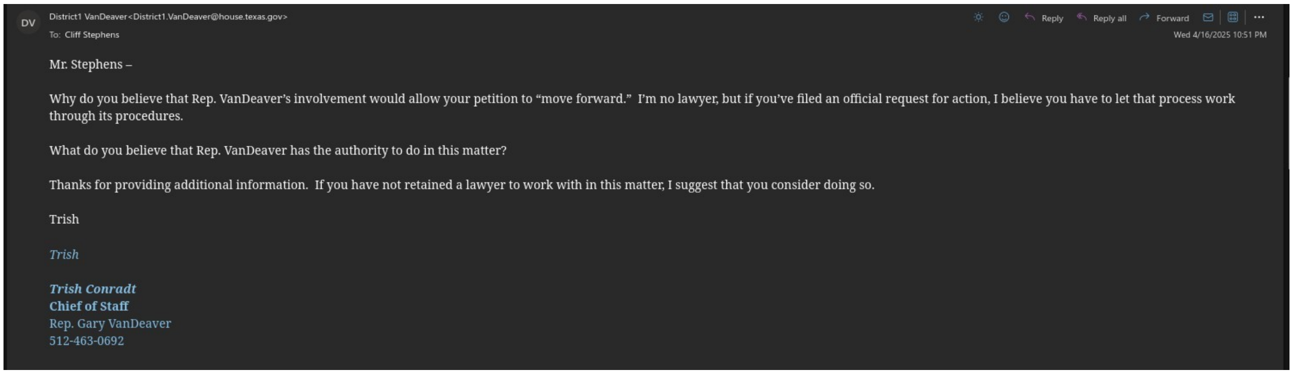
---

**TDEM Contact**: Nathan Carroll, Northeast Texas Regional Director DC 5 Mt. Pleasant (903) 241-0555 Nathan.Carroll@tdem.texas.gov

**Attachments**:

- Emergency filing
- Engineering assessment report

# Exhibit B – Screenshot of Email Exchange with Rep. VanDeaver's Office



District1 VanDeaver<District1.VanDeaver@house.texas.gov>
To: Cliff Stephens
Wed 4/16/2025 10:51 PM

Mr. Stephens –

Why do you believe that Rep. VanDeaver's involvement would allow your petition to "move forward." I'm no lawyer, but if you've filed an official request for action, I believe you have to let that process work through its procedures.

What do you believe that Rep. VanDeaver has the authority to do in this matter?

Thanks for providing additional information. If you have not retained a lawyer to work with in this matter, I suggest that you consider doing so.

Trish

*Trish*

***Trish Conradt***
**Chief of Staff**
Rep. Gary VanDeaver
512-463-0692

Respectfully,

Cliff Stephens

Petitioner Pro se

Linden Tx, 75563

6/20/2025 2:58 PM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Candy Schmidt

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

Cliff Stephens

PETITIONER

v.

TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

and CASS COUNTY

RESPONDENTS

353rd JUDICIAL DISTRICT

and

DUTY JUDGE

URGENT

# Motion for Emergency Judicial Authorization

# and Procedural Entry onto the Emergency Record

## TO THE HONORABLE JUDGE OF SAID COURT

## INTRODUCTION

The following motion was delivered to the Honorable Dib Waldrip, Regional Presiding Judge of the Third Administrative Judicial Region, on June 20, 2025. Jurisdiction is properly situated with the Third Region based on the open, acknowledged, and undisputed emergency filing currently pending in the 353rd District Court of Travis County under Cause No. D-1-GN-25-002397.

Further jurisdiction lies with this office due to the failure of the Regional Presiding Judge of the Eighth Administrative Judicial Region to respond to a formally noticed and documented emergency arising in Cass County - a jurisdiction under that Judge's supervision. As the emergency matter remains unresolved and unacted upon, the duty to review and intervene *now* falls to the next administrative authority with jurisdiction over the receiving court.

A confirmation email documenting delivery was sent at 11:45 AM on June 20, 2025, and received at 12:03 PM the same day. A copy of this confirmation is provided in the Appendix.

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I. Request for Immediate Action

II. Nature of the Emergency

III. Timeline of Events

IV. Legal and Procedural Breakdown

V. Supporting Evidence and Risk

VI. Proposed Language for Authorization

VII. Statement of Intent and Legal Position

VIII. Request for Acknowledgment and Emergency Record Protection

IX. Procedural Verification and Acknowledgment Request

X. Closing and Options for Immediate Resolution

Appendix A – Email Sent by Petitioner, June 20, 2025, 11:45 AM

Appendix A.1 – Screenshot of Petitioner’s Sent Email

Appendix B – Email Response from Admin JP3, June 20, 2025, 12:03 PM

Appendix B.1 – Screenshot of Admin JP3’s Confirmation Reply

## I. Request for Immediate Action

Petitioner hereby requests that this correspondence be filed immediately onto the Emergency Record. Any subsequent communication in response to this email shall likewise be entered into the Emergency Record for continued oversight and reference.

Petitioner respectfully requests immediate emergency authorization to enter the premises in question and safely dismantle a structurally compromised wall located in Linden, Texas. The condition of the wall presents a clear and imminent threat to life and property due to its proximity to active gas and electrical infrastructure.

This authorization may be issued by the Regional Presiding Judge, the Honorable Dib Waldrip, by the presiding judge of the 353rd District Court, or by the currently seated Duty Judge of the Travis County District Court. Petitioner is prepared to accept the order from any of these authorities.

To avoid further delay and risk, Petitioner has included proposed language for immediate issuance and entry onto the emergency record.

## II. Nature of the Emergency

There are two distinct and undisputed emergencies at issue:

- The primary emergency is the imminent risk of structural collapse of a historic masonry wall located in the County Seat of Cass County, within the city limits of Linden, Texas. This wall, part of a privately owned historic structure, has suffered progressive degradation over the past ten months. A licensed forensic structural engineer has deemed its current condition unstable and dangerous. The structure sits adjacent to active underground gas lines and an electrical junction. According to the engineer's assessment, collapse is likely to result in the rupture of those lines, triggering fire, explosion, or additional public harm. Petitioner has no control over the municipal infrastructure and cannot lawfully act without judicial authorization.
- The secondary emergency involves a procedural oversight of serious concern: the Cass County Courthouse has been operating without any form of physical security. This issue has been formally acknowledged through prior filings but remains unaddressed by County or District authorities.

The City of Linden, which retains easement control over the area required to mitigate the primary emergency, has denied Petitioner access to the easement. No preventative measures have been undertaken by the City or the County. The hazard remains present, worsening, and uncontained.

This correspondence is directed solely toward securing immediate mitigation of the primary emergency, which poses a direct and present threat to life, property, and essential public utility systems.

## III. Timeline of Events

- March 4, 2025 - A licensed forensic structural engineer conducted an on-site evaluation of the wall and provided Petitioner with a written report concluding that the structure was in imminent danger of collapse. The report identified a direct hazard to an active gas line and electrical junction located at the base of the wall.
- March 5, 2025 – Petitioner delivered the engineer’s findings to the City Manager of Linden. The City declined to assist and denied Petitioner access to the necessary easement for mitigation. Requests for underground utility maps were also denied or ignored.
- March 6, 2025 – Upon encountering refusal and inaction from the City Manager, Petitioner escalated the matter to the County level and filed a formal emergency declaration with Cass County, addressed to the County Judge. The filing included the engineer’s report and a request for lawful access to the municipal easement to mitigate the hazard. No response was received from the County Judge.
- Following March 6 – Petitioner contacted the Texas Department of Emergency Management (TDEM). A case was opened under the direction of Nathan Carroll. Petitioner submitted all relevant documentation. No further direction or engagement was received from TDEM to date.

- Subsequent Filing in Travis County – Petitioner initiated an emergency petition in the 353rd District Court of Travis County to establish jurisdiction in a venue willing to engage with the matter. The case remains open and undisputed.
- Service and Response – The 353rd Court’s filing was served upon the named Cass County Judge. However, the response came from the Cass County District Attorney, who did not address either the primary or secondary emergency. Instead, the DA sought dismissal with prejudice and requested that the matter be returned to the 5th Judicial District - a jurisdiction the DA represents.
- Regional Presiding Judge Notification – Petitioner transmitted the emergency declaration and supporting filings to the Regional Presiding Judge, the Honorable Alfonso Charles, specifically regarding the secondary emergency: the continued operation of the Cass County Courthouse without any form of physical security. This matter was received but has been subsequently ignored. No response or acknowledgment has been issued by the Regional Presiding Judge to date.

## IV. Legal and Procedural Breakdown

Petitioner was instructed by the Travis County Duty Judge on June 20, 2025, to prepare a hearing request. However, based on the history of unacknowledged filings, absence of local response, and increasing physical risk, further delay under standard scheduling procedures poses an unacceptable hazard. A hearing - subject to docket constraints - may not occur in time to prevent collapse or loss of life.

Petitioner has made formal emergency contact with all relevant authorities. Each party acknowledged receipt. None took action. The Cass County Judge did not respond to the emergency declaration filed March 6, 2025. TDEM acknowledged the matter but failed to act. The 353rd District Court received the emergency filing; the response came from the Cass County District Attorney, who addressed neither emergency and sought dismissal with prejudice and transfer back to the 5th Judicial District.

The Regional Presiding Judge of the Eighth Administrative Judicial Region, the Honorable Alfonso Charles, received formal notice regarding the courthouse security emergency. That matter remains unanswered.

All parties named in the Cass County emergency - including the Cass County Judge, District Attorney, City Manager, and City of Linden - operate within a one-mile radius of one another and remain in ongoing communication. No claim of ignorance is credible.

Failure of a subordinate authority to respond to a lesser emergency constitutes waiver of jurisdiction over a greater one. The 5th District's failure to act disqualifies it from reclaiming authority over this time-sensitive threat.

Cass County government offices rely on P.O. boxes and cannot provide real-time procedural engagement. Under these conditions, Petitioner now seeks lawful emergency relief from a qualified judicial authority without awaiting a hearing that may arrive too late.

## V. Supporting Evidence and Risk

Petitioner has already taken limited action to prevent collapse by installing a temporary support structure three months ago. That structure was never intended to serve as a permanent solution and is no longer sufficient to stabilize the wall.

The current condition of the wall requires immediate controlled dismantling. Due to the degraded state of the mortar, this process must be carried out brick by brick using handheld pneumatic tools. This method involves significant vibration, which increases the risk of accidental collapse if not managed carefully. Delay heightens this risk daily.

The wall remains positioned directly above an active underground gas line and electrical junction. Collapse would likely rupture these systems, potentially causing fire, explosion, or widespread damage to surrounding structures.

Petitioner has obtained written statements from neighboring property owners and business operators expressing concern and support for mitigation efforts. These statements were submitted to the 353rd District Court and are part of the emergency record.

In the absence of lawful authorization, Petitioner remains vulnerable to legal action by the City of Linden or other governmental entities should any part of the wall fall and cause damage - despite prior notice and acknowledged warnings. This threat of retaliatory litigation further underscores the need for formal judicial protection before mitigation begins.

## VI. Proposed Language for Authorization

To resolve the primary emergency and shield all parties from unnecessary liability or delay, Petitioner respectfully requests the issuance of the following statement by any qualified judicial authority, or any modified version thereof that provides equivalent assurance and grants the necessary permission to proceed.

> *Out of an abundance of caution, Petitioner is authorized to access the premises in question for the limited purpose of preventing imminent harm to life or property.*
>
> *Such access shall remain restricted in scope and duration to what is necessary for mitigation only and shall be documented in full for the public record.*
>
> *Petitioner affirms that all facts presented on the emergency record are true and correct. Should any material misrepresentation be discovered, Petitioner shall be subject to all lawful consequences.*

This language is narrowly tailored to address only the immediate hazard and will not be used to assert broader claims of authority or ownership. Petitioner will place the signed statement on the emergency record and begin mitigation efforts promptly upon receipt, without further delay or disruption.

## VII. Statement of Intent and Legal Position

Petitioner hereby states for the record that there is no intent to pursue damages against the City of Linden or any governmental body in connection with the deterioration or collapse of the wall. Initiating litigation would neither resolve the emergency nor serve the public interest and would only contribute to further delay.

Petitioner is prepared to waive any right to seek civil recovery associated with the structure, provided that lawful access is granted and the necessary mitigation may proceed without interference. However, Petitioner must act to protect himself from the legal consequences of inaction by those currently and actively ignoring the hazard.

One of the central purposes of the emergency petition filed in Travis County was to obtain legal protection from retaliatory action by any authority that has failed or refused to address the situation. This petition is not filed in pursuit of compensation - but in defense of public safety, structural integrity, and Petitioner's legal standing as a responsible actor in the face of institutional indifference.

## VIII. Request for Acknowledgment and Emergency Record Protection

Petitioner understands the function of emergency communication and affirms readiness to act upon any written authorization or acknowledgment issued by this office, the 353rd District Court, or the currently seated Duty Judge of Travis County.

Petitioner's immediate request is for this office to issue remedy via email correspondence. Such correspondence, once received, will be placed on the emergency record and shall suffice as operative authority should later consequences arise from the mitigation effort.

By example: should Petitioner suffer harm or death in the process of safely dismantling the structure, Petitioner seeks the assurance that no branch of government - municipal, county, or district - will later attempt to initiate litigation against Petitioner’s family or estate for actions taken in good faith and under official notice.

The primary purpose of the emergency record is to create a documented chain of lawful communication and protection in response to official inaction. Petitioner does not seek conflict, compensation, or confrontation - only the minimal lawful cover necessary to resolve an immediate and acknowledged danger.

## IX. Procedural Verification and Acknowledgment Request

This office is not expected to act without due diligence. The Briefing Attorney for the Honorable Judge of the 353rd District Court has been copied for clarity and continuity. Petitioner respectfully requests that the Regional Presiding Judge verify the facts presented herein and contact that office for any clarification deemed necessary.

Furthermore, given the urgency of the matter, Petitioner requests that - should the Briefing Attorney for the 353rd District Court find the contents of this correspondence consistent with the emergency record - they acknowledge the same by affirming or disputing any portion wherein uncertainty may exist. Such clarification will aid in protecting all parties and resolving the primary hazard without further delay.

## X. Closing and Options for Immediate Resolution

Petitioner identifies three clear paths by which mitigation efforts may be lawfully authorized and commenced without delay:

1. The Regional Presiding Judge may review the facts presented herein and issue the declaration directly.
2. The Regional Presiding Judge may contact either the presiding judge of the 353rd District Court or the active Duty Judge of Travis County and confirm their authority to issue the declaration out of an abundance of caution.
3. In response to any acknowledgment of the primary emergency by a qualified judicial authority, Petitioner will act to mitigate the hazard and, formally request that the emergency petition pending before the 353rd District Court be reclassified as a civil matter.

Petitioner cannot await broader state decisions regarding courthouse security, venue propriety, or intergovernmental obligations before addressing an immediate and preventable danger. The matter at hand is urgent and confined in scope: to prevent the collapse of a structure that threatens life and public infrastructure.

At the same time, Petitioner acknowledges and respects the time required for the State to evaluate and remedy its internal procedural failures. This correspondence is not intended to compel premature judgment on unresolved issues, but rather to request the minimum lawful protection necessary to safeguard life, property, and those closest to the hazard.

By acknowledging the facts presented and issuing the proposed authorization, the Court would simultaneously resolve the primary emergency and provide lawful cover for immediate mitigation. Upon receipt of such acknowledgment, Petitioner will proceed accordingly and formally request that the emergency petition be reclassified as a civil matter. This dual action preserves the emergency record, resolves the immediate threat, and allows the State to deliberate on broader institutional concerns without unnecessary pressure or delay.

Petitioner deeply regrets that this matter was not brought to the attention of this office sooner. At the time of filing the original emergency declaration on March 6, 2025, Petitioner believed the Cass County Judge would respond verbally and with basic precaution. Petitioner could not have anticipated the institutional indifference encountered - an apparent consensus of silence between County and District authorities.

The purpose of this correspondence is not to assign blame, but to seek lawful authority to act where others have declined. Petitioner remains prepared to proceed immediately upon acknowledgment from this office, or any of the qualified judicial authorities named herein.

## APPENDIX A

## Email Confirmation – June 20, 2025

**Sent: 11:45 AM**

**From:** Cliff Stephens
**To:** adminjp@co.comal.tx.us
**Subject:** Urgent: Verification of Monitored Judicial Channel

To the Honorable Dib Waldrip,

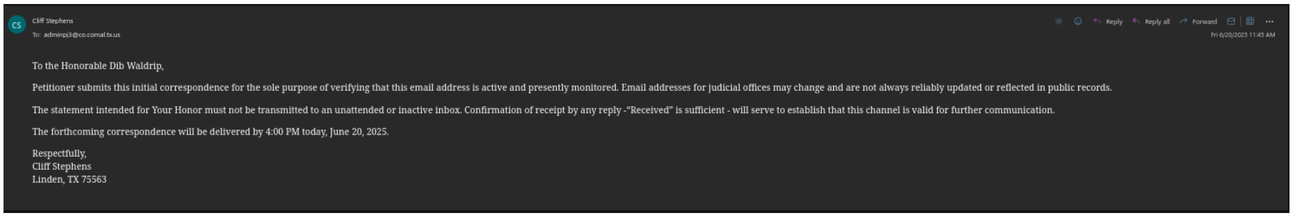
Petitioner submits this initial correspondence for the sole purpose of verifying that this email address is active and presently monitored. Email addresses for judicial offices may change and are not always reliably updated or reflected in public records.

The statement intended for Your Honor must not be transmitted to an unattended or inactive inbox. Confirmation of receipt by any reply - “Received” is sufficient - will serve to establish that this channel is valid for further communication.

The forthcoming correspondence will be delivered by 4:00 PM today, June 20, 2025.

Respectfully,
Cliff Stephens
Linden, TX 75563

APPENDIX A.1



Cliff Stephens
To: adminpj3@co.comal.tx.us
Fri 6/20/2025 11:45 AM

To the Honorable Dib Waldrip,

Petitioner submits this initial correspondence for the sole purpose of verifying that this email address is active and presently monitored. Email addresses for judicial offices may change and are not always reliably updated or reflected in public records.

The statement intended for Your Honor must not be transmitted to an unattended or inactive inbox. Confirmation of receipt by any reply -“Received” is sufficient - will serve to establish that this channel is valid for further communication.

The forthcoming correspondence will be delivered by 4:00 PM today, June 20, 2025.

Respectfully,
Cliff Stephens
Linden, TX 75563

## APPENDIX B

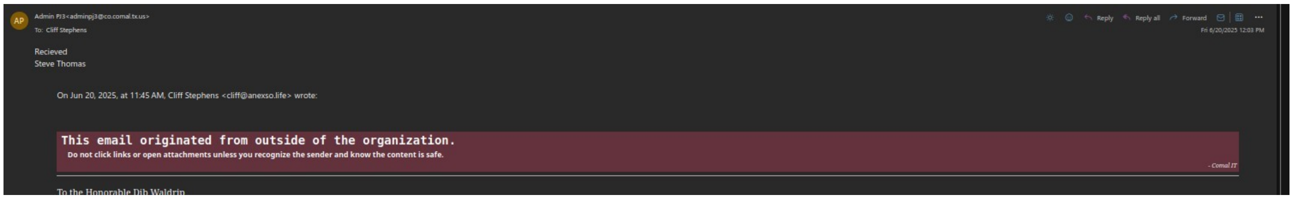
## Email Confirmation – June 20, 2025

## Time Received: 12:03 PM

**From:** Admin JP3 adminjp3@co.comal.tx.us
**To:** Cliff Stephens
**Subject:** Urgent: Verification of Monitored Judicial Channel

**Received**
Steve Thomas

APPENDIX B.1 Subsequent Screen Shot



Admin PJ3<adminpj3@co.comal.tx.us>
To: Cliff Stephens

Fri 6/20/2025 12:03 PM

Recieved
Steve Thomas

On Jun 20, 2025, at 11:45 AM, Cliff Stephens <cliff@anexso.life> wrote:

**This email originated from outside of the organization.**
Do not click links or open attachments unless you recognize the sender and know the content is safe.

*- Comal IT*

To the Honorable Dib Waldrip

Urgently submitted,

**Cliff Stephens**

Petitioner, Pro Se

Linden, Texas 75563

## Docket Notes
## Cause #D1GN25002397
## CLIFF STEPHENS VS. CASS COUNTY, TEXAS,TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

| Date Entered | Note | Note type | Date Last Edited | Last Edited By |
|---|---|---|---|---|
| 5/5/2025 | Duty Court reviews and declines to issue ex parte order as requested in Pl's Emergency Motion to Secure the Cass County Courthouse. | Docket Sheet Entry | 5/5/2025 | MauzyC |
| 6/20/2025 | Judge Meachum as duty court- declines to issue any emergency relief- was told to set his motion on civil central with appropriate notice to the parties. ACM/hmm | Docket Sheet Entry | 6/20/2025 | MerrelH |

6/23/2025 5:45 PM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Norma Ybarra

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

Cliff Stephens

PETITIONER

v.

TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

and CASS COUNTY

RESPONDENTS

353rd JUDICIAL DISTRICT

# Supplemental Statement of Facts Regarding Courthouse Venue and Governmental Continuity

TO THE HONORABLE JUDGE OF SAID COURT:

## I. INTRODUCTION

Petitioner submits this Supplemental Statement of Facts for entry onto the Emergency Record. This filing documents a formally declared intent by the Cass County Commissioners Court, dated June 9, 2008, confirming the continued use of the Cass County Courthouse as the lawful seat of county government. Said declaration was approved during a regular session and executed through an attached Scope of Work recorded with the County Clerk and signed by the then-seated County Judge. Petitioner submits this statement in support of the pending emergency petition and to clarify the lawful venue implications arising from the abandonment of the premises without public vote or notice. A complete copy of the record is attached herein as:

- C.1 Official Session Notice and Agenda
- C.2 Scope of Services (Architecture & Engineering)
- C.3 Historic Preservation Standards
- C.4 Interior Restoration and Use Planning
- C.5 Post-Renovation Governmental Use Declaration

## II. OFFICIAL RECORD OF DECLARATION - 2008 COMMISSIONERS COURT

On June 9, 2008, during a regular session of the Cass County Commissioners Court, the Court formally approved the Scope of Work for the planned courthouse restoration. The meeting minutes reflect adoption of a resolution committing to the continued use of the courthouse as the seat of county government.

The final paragraph of the approved Scope of Work reads as follows:

“Upon completion of the restoration, the courthouse will continue to be utilized as the seat of county government as it has for the past 140+ years…”

This declaration was recorded in the official minutes of the Cass County Commissioners Court and confirmed through the signatures of the then-seated Cass County Judge and Cass County Clerk. The document is part of the public record and remains binding absent formal rescission or public vote.

## III. POST-RENOVATION ABANDONMENT OF VENUE

Following completion of the courthouse restoration, the facility was not reoccupied by key elected officials, including the Cass County Judge and the Cass County Clerk. As of this filing, both offices continue to operate outside the restored courthouse, in direct contradiction of the 2008 declaration approved by the Cass County Commissioners Court.

Petitioner reviewed all publicly available Commissioners Court minutes for evidence of any formal action reassigning venue. No record was found. Instead, the matter disappears from public proceedings entirely. At no point was there a recorded vote, ordinance, or resolution reversing or altering the County’s commitment to house these offices within the restored courthouse. This silent displacement occurred without record, without vote, and without notice—violating the public trust and raising procedural doubt over all official county business conducted elsewhere.

## IV. RELEVANCE TO EMERGENCY RECORD

The facts set forth herein are directly relevant to the active emergency record concerning both courthouse security and the legitimacy of county venue. The 2008 declaration confirmed the courthouse as the lawful seat of county government, establishing expectations of continued occupancy, public access, and security.

The current abandonment of the courthouse by key officials - without record or lawful action - has resulted in a breach of declared continuity. This breach is now compounded by the ongoing lack of armed security in the courthouse, as previously documented in the emergency petition.

Further, the structural failures surrounding the courthouse have created additional hazards to life and property. These failures are no longer isolated issues; they now exist in direct relation to a courthouse improperly maintained, unsecured, and functionally severed from the offices it was restored to house.

## V. REQUEST FOR JUDICIAL NOTICE AND PRESERVATION

Petitioner respectfully requests that the Court take Judicial Notice of the 2008 Cass County Commissioners Court record, including the approved Scope of Work confirming the courthouse as the lawful and continued seat of county government.

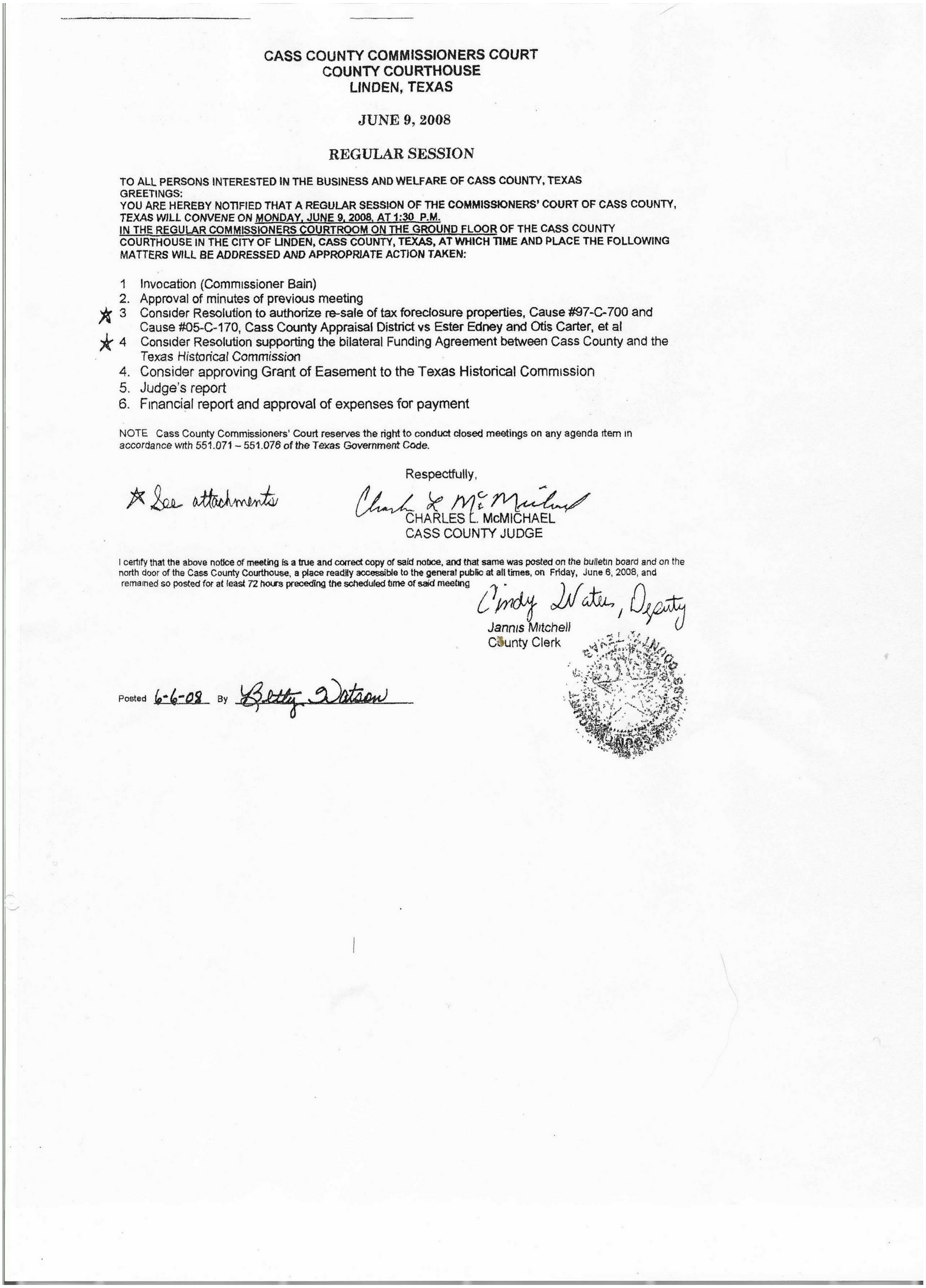
Petitioner further requests that this Supplemental Statement of Facts be preserved on the Emergency Record for the purpose of future judicial determination regarding lawful venue, continuity of county authority, and the legal implications of the courthouse's unauthorized abandonment.

Respectfully Submitted

Cliff Stephens

Linden, Tx 75563

# C.1 Official Session Notice and Agenda



**CASS COUNTY COMMISSIONERS COURT**
**COUNTY COURTHOUSE**
**LINDEN, TEXAS**

**JUNE 9, 2008**

**REGULAR SESSION**

TO ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS
GREETINGS:
YOU ARE HEREBY NOTIFIED THAT A REGULAR SESSION OF THE COMMISSIONERS' COURT OF CASS COUNTY, TEXAS WILL CONVENE ON MONDAY, JUNE 9, 2008, AT 1:30 P.M. IN THE REGULAR COMMISSIONERS COURTROOM ON THE GROUND FLOOR OF THE CASS COUNTY COURTHOUSE IN THE CITY OF LINDEN, CASS COUNTY, TEXAS, AT WHICH TIME AND PLACE THE FOLLOWING MATTERS WILL BE ADDRESSED AND APPROPRIATE ACTION TAKEN:

1 Invocation (Commissioner Bain)
2. Approval of minutes of previous meeting
☆ 3 Consider Resolution to authorize re-sale of tax foreclosure properties, Cause #97-C-700 and Cause #05-C-170, Cass County Appraisal District vs Ester Edney and Otis Carter, et al
☆ 4 Consider Resolution supporting the bilateral Funding Agreement between Cass County and the *Texas Historical Commission*
4. Consider approving Grant of Easement to the Texas Historical Commission
5. Judge's report
6. Financial report and approval of expenses for payment

NOTE Cass County Commissioners' Court reserves the right to conduct closed meetings on any agenda item in accordance with 551.071 – 551.076 of the Texas Government Code.

Respectfully,

☆ See attachments

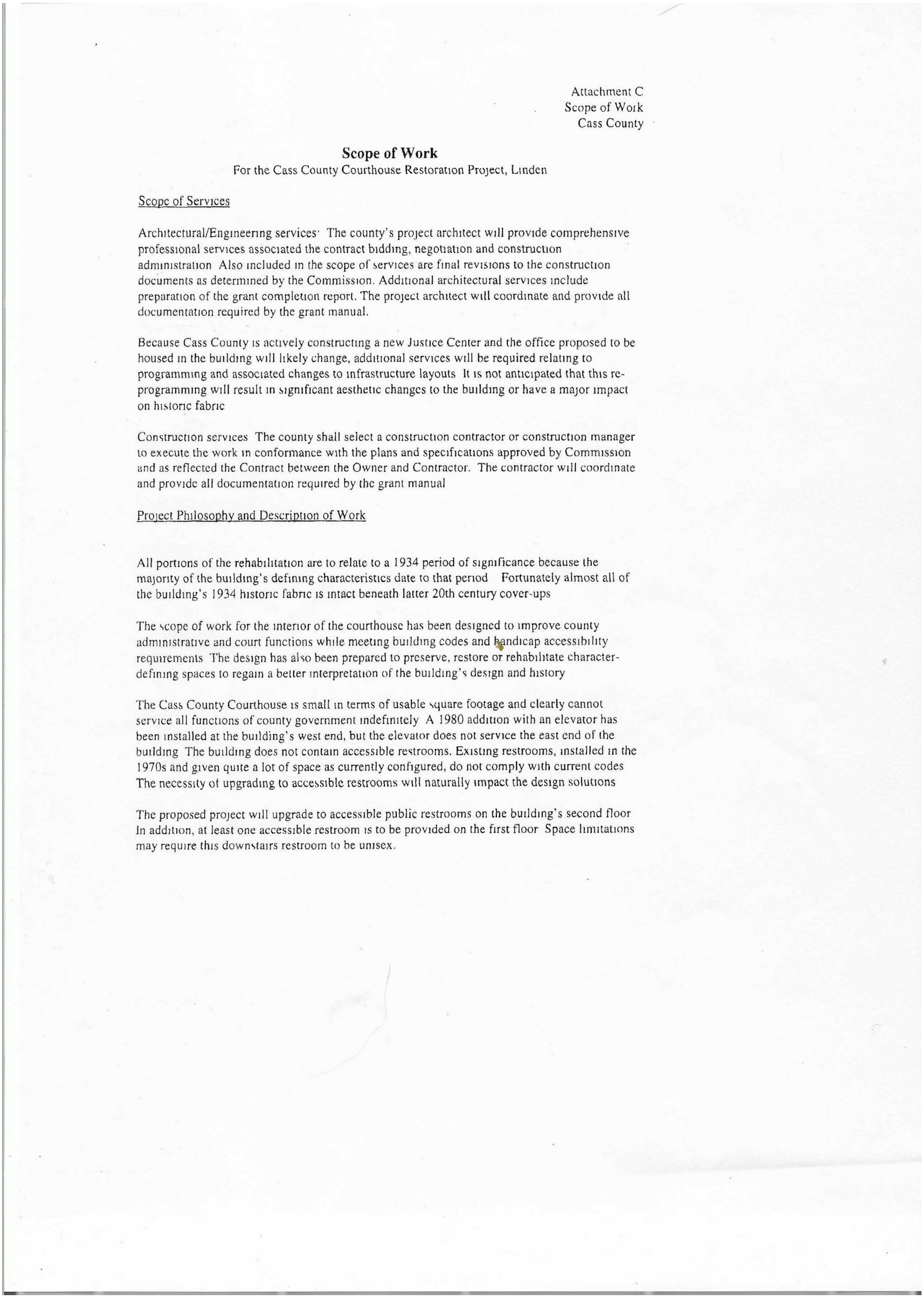
Charles L. McMichael
CHARLES L. McMICHAEL
CASS COUNTY JUDGE

I certify that the above notice of meeting is a true and correct copy of said notice, and that same was posted on the bulletin board and on the north door of the Cass County Courthouse, a place readily accessible to the general public at all times, on Friday, June 6, 2008, and remained so posted for at least 72 hours preceding the scheduled time of said meeting

Cindy Waters, Deputy
Jannis Mitchell
County Clerk

Posted 6-6-08 By Betty Watson

# C.2 Scope of Services (Architecture & Engineering)



Attachment C
Scope of Work
Cass County

## Scope of Work

For the Cass County Courthouse Restoration Project, Linden

### Scope of Services

Architectural/Engineering services· The county's project architect will provide comprehensive professional services associated the contract bidding, negotiation and construction administration Also included in the scope of services are final revisions to the construction documents as determined by the Commission. Additional architectural services include preparation of the grant completion report. The project architect will coordinate and provide all documentation required by the grant manual.

Because Cass County is actively constructing a new Justice Center and the office proposed to be housed in the building will likely change, additional services will be required relating to programming and associated changes to infrastructure layouts It is not anticipated that this re-programming will result in significant aesthetic changes to the building or have a major impact on historic fabric

Construction services The county shall select a construction contractor or construction manager to execute the work in conformance with the plans and specifications approved by Commission and as reflected the Contract between the Owner and Contractor. The contractor will coordinate and provide all documentation required by the grant manual

### Project Philosophy and Description of Work

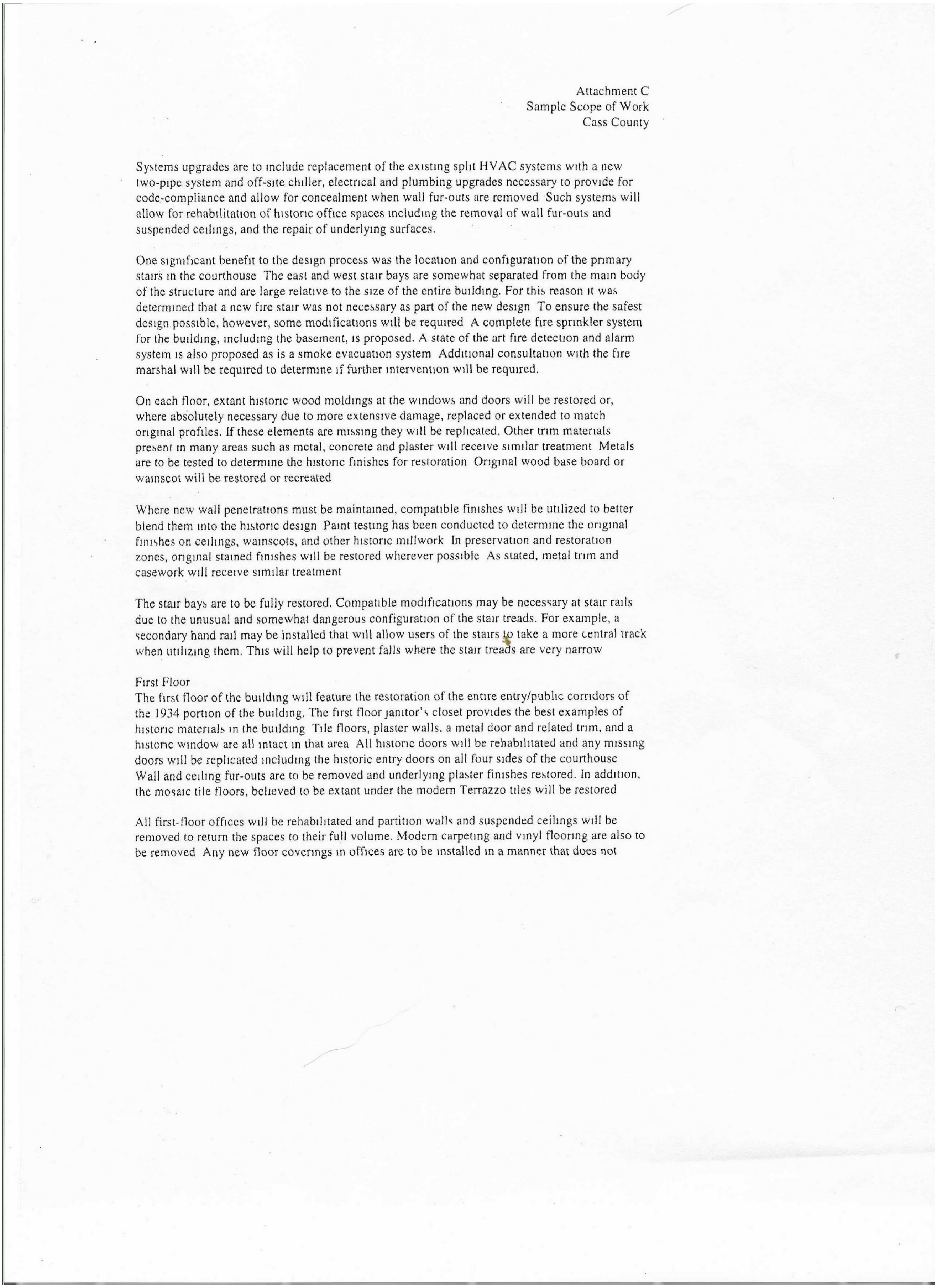
All portions of the rehabilitation are to relate to a 1934 period of significance because the majority of the building's defining characteristics date to that period Fortunately almost all of the building's 1934 historic fabric is intact beneath latter 20th century cover-ups

The scope of work for the interior of the courthouse has been designed to improve county administrative and court functions while meeting building codes and handicap accessibility requirements The design has also been prepared to preserve, restore or rehabilitate character-defining spaces to regain a better interpretation of the building's design and history

The Cass County Courthouse is small in terms of usable square footage and clearly cannot service all functions of county government indefinitely A 1980 addition with an elevator has been installed at the building's west end, but the elevator does not service the east end of the building The building does not contain accessible restrooms. Existing restrooms, installed in the 1970s and given quite a lot of space as currently configured, do not comply with current codes The necessity of upgrading to accessible restrooms will naturally impact the design solutions

The proposed project will upgrade to accessible public restrooms on the building's second floor In addition, at least one accessible restroom is to be provided on the first floor Space limitations may require this downstairs restroom to be unisex.

# C.3 Historic Preservation Standards



Attachment C
Sample Scope of Work
Cass County

Systems upgrades are to include replacement of the existing split HVAC systems with a new two-pipe system and off-site chiller, electrical and plumbing upgrades necessary to provide for code-compliance and allow for concealment when wall fur-outs are removed  Such systems will allow for rehabilitation of historic office spaces including the removal of wall fur-outs and suspended ceilings, and the repair of underlying surfaces.

One significant benefit to the design process was the location and configuration of the primary stairs in the courthouse  The east and west stair bays are somewhat separated from the main body of the structure and are large relative to the size of the entire building. For this reason it was determined that a new fire stair was not necessary as part of the new design  To ensure the safest design possible, however, some modifications will be required  A complete fire sprinkler system for the building, including the basement, is proposed. A state of the art fire detection and alarm system is also proposed as is a smoke evacuation system  Additional consultation with the fire marshal will be required to determine if further intervention will be required.

On each floor, extant historic wood moldings at the windows and doors will be restored or, where absolutely necessary due to more extensive damage, replaced or extended to match original profiles. If these elements are missing they will be replicated. Other trim materials present in many areas such as metal, concrete and plaster will receive similar treatment  Metals are to be tested to determine the historic finishes for restoration  Original wood base board or wainscot will be restored or recreated

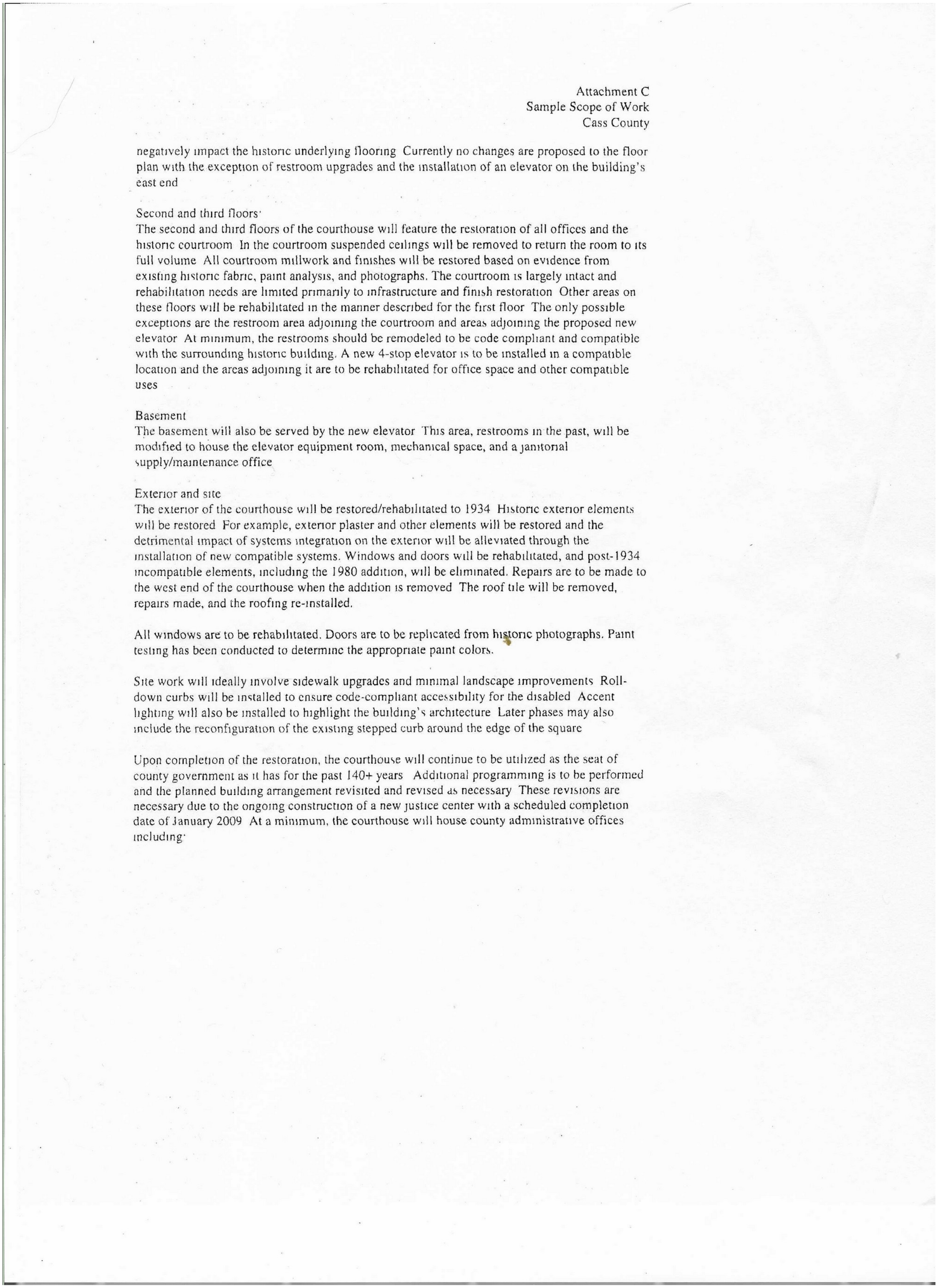
Where new wall penetrations must be maintained, compatible finishes will be utilized to better blend them into the historic design  Paint testing has been conducted to determine the original finishes on ceilings, wainscots, and other historic millwork  In preservation and restoration zones, original stained finishes will be restored wherever possible  As stated, metal trim and casework will receive similar treatment

The stair bays are to be fully restored. Compatible modifications may be necessary at stair rails due to the unusual and somewhat dangerous configuration of the stair treads. For example, a secondary hand rail may be installed that will allow users of the stairs to take a more central track when utilizing them. This will help to prevent falls where the stair treads are very narrow

First Floor
The first floor of the building will feature the restoration of the entire entry/public corridors of the 1934 portion of the building. The first floor janitor's closet provides the best examples of historic materials in the building  Tile floors, plaster walls, a metal door and related trim, and a historic window are all intact in that area  All historic doors will be rehabilitated and any missing doors will be replicated including the historic entry doors on all four sides of the courthouse  Wall and ceiling fur-outs are to be removed and underlying plaster finishes restored. In addition, the mosaic tile floors, believed to be extant under the modern Terrazzo tiles will be restored

All first-floor offices will be rehabilitated and partition walls and suspended ceilings will be removed to return the spaces to their full volume. Modern carpeting and vinyl flooring are also to be removed  Any new floor coverings in offices are to be installed in a manner that does not

## C.4 Interior Restoration and Use Planning



negatively impact the historic underlying flooring. Currently no changes are proposed to the floor plan with the exception of restroom upgrades and the installation of an elevator on the building's east end.

Second and third floors:
The second and third floors of the courthouse will feature the restoration of all offices and the historic courtroom. In the courtroom suspended ceilings will be removed to return the room to its full volume. All courtroom millwork and finishes will be restored based on evidence from existing historic fabric, paint analysis, and photographs. The courtroom is largely intact and rehabilitation needs are limited primarily to infrastructure and finish restoration. Other areas on these floors will be rehabilitated in the manner described for the first floor. The only possible exceptions are the restroom area adjoining the courtroom and areas adjoining the proposed new elevator. At minimum, the restrooms should be remodeled to be code compliant and compatible with the surrounding historic building. A new 4-stop elevator is to be installed in a compatible location and the areas adjoining it are to be rehabilitated for office space and other compatible uses.

Basement
The basement will also be served by the new elevator. This area, restrooms in the past, will be modified to house the elevator equipment room, mechanical space, and a janitorial supply/maintenance office.

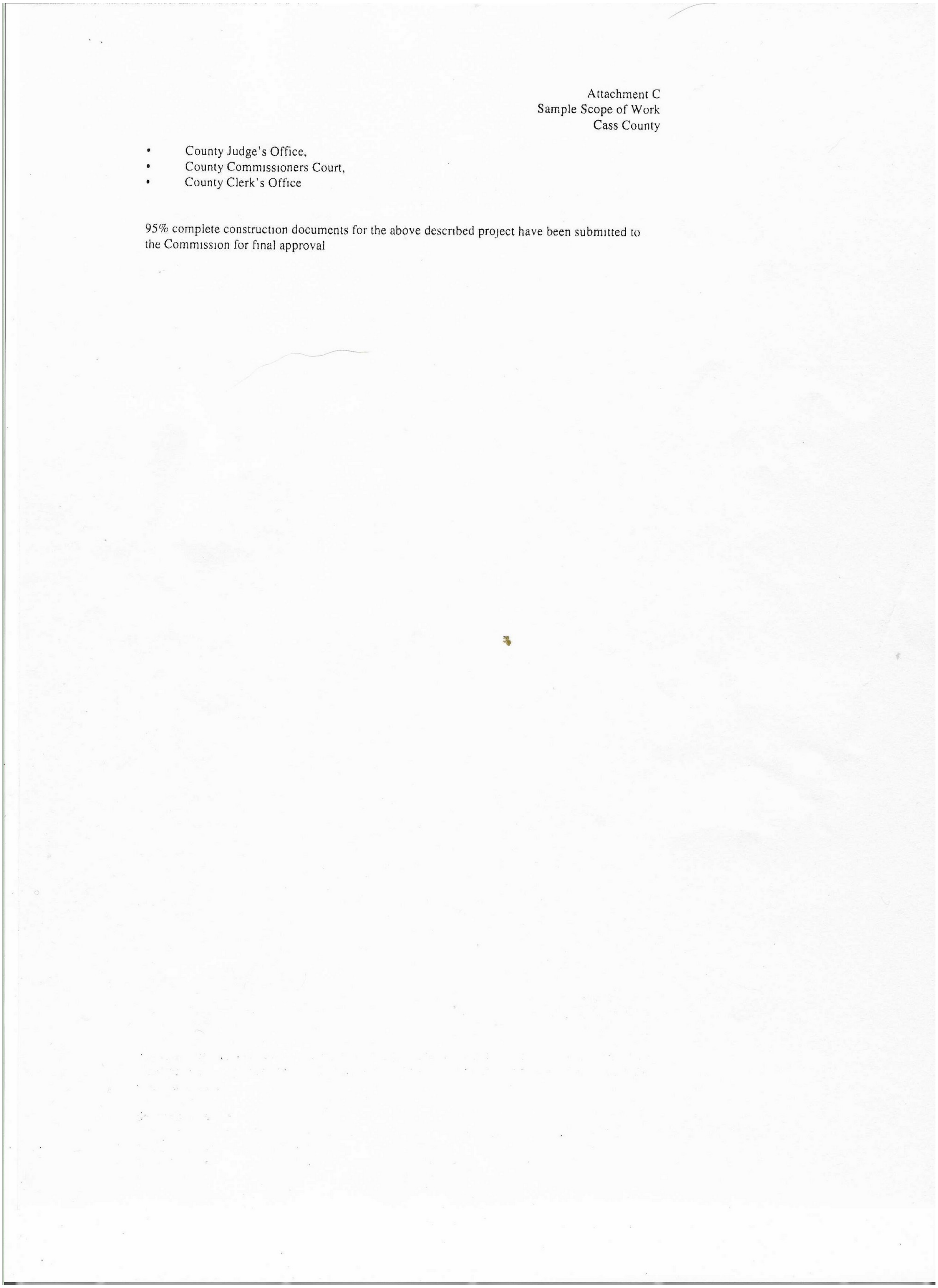
Exterior and site
The exterior of the courthouse will be restored/rehabilitated to 1934. Historic exterior elements will be restored. For example, exterior plaster and other elements will be restored and the detrimental impact of systems integration on the exterior will be alleviated through the installation of new compatible systems. Windows and doors will be rehabilitated, and post-1934 incompatible elements, including the 1980 addition, will be eliminated. Repairs are to be made to the west end of the courthouse when the addition is removed. The roof tile will be removed, repairs made, and the roofing re-installed.

All windows are to be rehabilitated. Doors are to be replicated from historic photographs. Paint testing has been conducted to determine the appropriate paint colors.

Site work will ideally involve sidewalk upgrades and minimal landscape improvements. Roll-down curbs will be installed to ensure code-compliant accessibility for the disabled. Accent lighting will also be installed to highlight the building's architecture. Later phases may also include the reconfiguration of the existing stepped curb around the edge of the square.

Upon completion of the restoration, the courthouse will continue to be utilized as the seat of county government as it has for the past 140+ years. Additional programming is to be performed and the planned building arrangement revisited and revised as necessary. These revisions are necessary due to the ongoing construction of a new justice center with a scheduled completion date of January 2009. At a minimum, the courthouse will house county administrative offices including:

## C.5 Post-Renovation Governmental Use Declaration



Attachment C
Sample Scope of Work
Cass County

- County Judge's Office,
- County Commissioners Court,
- County Clerk's Office

95% complete construction documents for the above described project have been submitted to the Commission for final approval

6/26/2025 3:46 PM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Candy Schmidt

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

Cliff Stephens

PETITIONER

v.

TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

and CASS COUNTY

RESPONDENTS

353rd JUDICIAL DISTRICT

# MOTION TO COMPEL

## A FINAL, UNIFIED DECISION UNDER THE DECIDE MODEL

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW Petitioner, Cliff Stephens, and moves this Court to issue a single decision that resolves all pending motions, filings, and facts submitted in this matter. The request is made to bring clarity to the record, end procedural delay, and complete the Court's role in a matter extended by lack of response.

## I. FAILURE TO ACT

Petitioner has submitted multiple filings and motions, including but limited to easement access, emergency intervention, security matters, judicial venue concerns. These filings document present conditions involving public safety, structural risk, continuity within government process.

A legal emergency exists. A county has permitted court operations at a site never named, seated, transferred by legislative act. The record reflects lack of reassignment, lack of closure order, lack of statutory recognition. The site functions beyond shield, beyond jurisdiction.

This extends beyond procedure. This condition invites collapse. Rulings issued from an unseated bench stand open to dispute. Officials sheltered behind informal practice remain exposed. What remains is this Court.

The filings place this Court within the line of responsibility. Delay has converted into duty. Response is now required.

## II. RELIEF REQUESTED

Petitioner respectfully moves the Court to

1. Issue a single decision resolving all motions, exhibits, and institutional matters currently pending in this cause.
2. Grant permission for Petitioner to access and act upon the easement described in prior filings, out of an abundance of caution, for the purpose of mitigating identified safety risks.
3. Invite immediate review and coordination by the appropriate law enforcement authority to determine whether current conditions at the Cass County Courthouse satisfy the expectations of SB 42 concerning armed security presence.
4. Invite formal judicial recognition that the facility currently used for county court operations does not appear to have been lawfully designated under applicable Texas statutes, where no reassignment, closure order, or legislative action has been identified in the record.
5. Refer the issue of courthouse security posture under SB 42 to the Office of the Attorney General of Texas for review and response in light of statutory enforcement responsibilities.
6. Refer the matter of courthouse designation and venue to the Clerk of the Texas Supreme Court for administrative review and potential elevation to appropriate constitutional authority.
7. Apply the DECIDE model as submitted in Petition Envelope 100798400 as the standard for institutional emergency response. If the Court chooses to depart from this framework, provide written clarification on the record.
8. Require formal acknowledgment from any relevant official or agency of all material data submitted in this cause, with written notice to the Court within five business days.

## III. CERTIFICATE OF CONFERENCE

Petitioner has been unable to confer with Respondents due to their demonstrated inability to properly intake and process emergency filings. Under these conditions, no meaningful exchange or agreement could occur.

## IV. CONCLUSION

Petitioner submits this motion to bring all matters to rest through a single and complete judgment. The purpose is to enable lawful action and restore proper structure within the process.

Petitioner respectfully asks the Court to grant this motion in full and issue a ruling that resolves every matter presented.

Respectfully submitted,

Cliff Stephens

*Pro se*

Linden, Texas 75563

6/26/2025 3:29 PM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Norma Ybarra

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

Cliff Stephens

PETITIONER

v.

TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

and CASS COUNTY

RESPONDENTS

353rd JUDICIAL DISTRICT

# Clarification Regarding Section III. Post-Renovation Abandonment of Venue

TO THE HONORABLE JUDGE OF SAID COURT

Petitioner respectfully corrects the factual statement previously made under the heading “III. Post-Renovation Abandonment of Venue,” which appears in the record as part of the filing associated with Envelope 102327138.

That section stated.

“Following completion of the courthouse restoration, the facility was not reoccupied by key elected officials, including the Cass County Judge and the Cass County Clerk. As of this filing, both offices continue to operate outside the restored courthouse…”

Petitioner respectfully submits the following clarification concerning language previously filed under the heading “III. Post-Renovation Abandonment of Venue,” as part of the record associated with Envelope 102327138.

The prior statement indicated that both the Cass County Judge and the Cass County Clerk continued to operate outside the restored courthouse. Petitioner now clarifies that this characterization was inaccurate with respect to the Cass County Clerk, who presently maintains full operations within the restored courthouse facility, specifically on the lower level adjacent to the vault.

The Cass County Judge and Commissioners Court, however, remain absent and currently operate from the Cass County Justice Center, a facility located offsite and secured by a proper security system.

Petitioner further clarifies the intended meaning of the phrase “at a minimum,” as used in reference to courthouse occupancy. The phrase reflects the understanding that, at minimum, the offices of the Cass County Judge, the District Judge, and the Cass County Clerk must occupy the courthouse in order to preserve lawful venue, procedural continuity, and the constitutional structure of county government. This arrangement has remained intact for more than one hundred forty years and reflects both historic precedent and functional necessity.

This clarification is submitted to ensure the record accurately reflects the distinct status of each office and the institutional consequences for venue and continuity of government.

Respectfully submitted

Cliff Stephens

Pro se

Linden Texas 75563

6/30/2025 6:50 PM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Ana Lopez

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

Cliff Stephens

PETITIONER

V

TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

and CASS COUNTY

RESPONDENTS

353rd JUDICIAL DISTRICT

# Initial Emergency Request for State Intervention and Structural Mitigation Authority

Submitted to the Texas Division of Emergency Management (TDEM)

TO THE HONORABLE JUDGE OF SAID COURT

Petitioner submits this filing for the purpose of formally entering into the record the emergency compliance request submitted to the Texas Division of Emergency Management on March 8, 2025, attached hereto as Exhibit A. This submission serves to confirm early and verified notice of the emergency at the state level, to document procedural failure under applicable statutory timelines, and to support judicial recognition that escalation beyond TDEM and Cass County is now warranted based on administrative default and prolonged inaction.

# RECORD OF CONSTRUCTIVE DENIAL AND VERIFIED NOTICE

On March 6, 2025, Petitioner filed a formal declaration of emergency at the Cass County Courthouse concerning imminent structural collapse and related public safety threats. On March 8, 2025, Petitioner submitted the contents of Exhibit A to the Texas Division of Emergency Management (TDEM). That same day, the Chief Regional Director of TDEM contacted Petitioner directly. At that time, Petitioner believed the lack of response from county officials might be due to simple delay or logistical error. The Chief confirmed that he had already spoken with the Cass County Judge. Petitioner requested that the full emergency filing and all supporting correspondence be delivered directly to the Judge. The Chief affirmed that this would be done.

More than ninety days have passed since that date. There has been no acknowledgment, directive, or corrective action by either TDEM or the Cass County Judge. This prolonged silence satisfies the criteria for administrative breach under Texas Government Code § 2001.052, which requires agencies to act within a reasonable period. Under Texas Rules of Appellate Procedure Rule 52, failure to respond to a pending emergency constitutes constructive denial and qualifies for mandamus relief. Federal emergency doctrine, as applied by FEMA and the U.S. Department of Homeland Security, recognizes ninety days as the terminal limit for official response before an incident is reclassified as a breakdown in governance.

The record now establishes verified, cross-jurisdictional notice at both the state and county levels. There is no legal or procedural basis for any party to claim ignorance of the emergency. TDEM received formal request, confirmed internal notice to the Cass County Judge, and took no action. This inaction constitutes procedural abandonment, extinguishes presumption of jurisdiction, and justifies immediate transfer of responsibility to higher authorities under law.

# OBJECTIVE

This filing consolidates key evidence showing that emergency authority at the county and state level has lapsed through prolonged and unjustified silence. It confirms verified intergovernmental notice, establishes procedural abandonment under statutory and federal response standards, and supports legal realignment of responsibility. The record is now positioned for immediate invocation of higher jurisdictional oversight, including the Office of the Attorney General, the Office of the Governor, and relevant constitutional courts. This document further preserves the factual and legal foundation necessary for mandamus relief, appellate escalation, and any future litigation involving state emergency compliance.

**For Clarity**

Petitioner files Exhibit A and Exhibit B to establish a clear and documented timeline of state-level awareness and failure to act. Exhibit A reflects the initial emergency communication with the Texas Division of Emergency Management and the confirmation that the Cass County Judge was notified by March 9, 2025. Exhibit B follows with Petitioner’s formal request for TDEM to issue a compliance order directing the Cass County Judge to return to the courthouse and restore required security presence under Senate Bill 42. When Petitioner filed the original emergency petition, it was assumed that courthouse security was in place. Only after speaking directly with the Cass County Clerk did Petitioner learn that no armed security was present, and that the Clerk had previously submitted multiple unaddressed requests for security. This realization transformed what appeared to be a local delay into a systemic emergency, marked by both procedural nonresponse and statutory breach. These exhibits form the foundation for higher-level review and enforcement.

Respectfully,

Cliff Stephens

Pro se

Linden Tx, 75563

June 30, 2025

## EXHIBIT A : TRANSCRIPT OF INITIAL CONTACT WITH TDEM

To the State of Texas – A Call for Immediate Action

This letter is for the State Coordinator for Infrastructure and Emergency Response and the Deputy Chief for Response and Recovery at TDEM. If I have not received a response within 24 hours, I request that this letter be delivered to the Chief of Staff or Executive Director for immediate action.

Background & Emergency Filing

- March 3, 2025 – I received an engineering report confirming my building is under immediate threat of collapse ( attached ) .
- March 5, 2025 – I took the report to the City Manager, Stephen Barnes, and verbally declared a civil emergency.
- March 6, 2025, at 16:00 – I officially filed a civil emergency with the City of Linden.
- The filing is recorded with County Clerk (attached).

UPDATE: March 8th: I am still seeking permission from the City of Linden regarding permission to build the temporary structure needed to mitigate the treat - I have received no communication from any Official since March 6, 16:00 : The threat to public safety has not changed.

Estimated time until emergency mitigation : 36 - 48 hours.

The immediate threat is simple—a section of my building at 122 West Houston St. is going to collapse. I am doing everything I can, shoring it up inside and out : I need the city to issue a temporary emergency order to allow me to build the structure needed to mitigate this threat and end the emergency - this has been requested but not accomplished - I request the TDEM to immediately intervene.

If this structure fails, it won't just take down one building—it's a fire hazard that could take five others with it. These aren't just structures. These are the heart of Linden's city center. The owners of these buildings have given statements and are ready to be contacted if needed.

Root Cause: The City's Infrastructure Failure

- A rusted-out, failing city water line is pulling soil out from under our buildings, destroying their foundations.
- City work orders from 2022 will confirm the city's knowledge of the issue - the issue for these years has not been addressed - it has now developed into an emergency.
- Five buildings—built in different decades—all started shifting at the same time. The city says that these are isolated incidents - That these buildings simultaneously experience similar foundational upheavals on their own.
- Independent engineers confirm it's not the buildings' fault —it's a neglected (4 years) city infrastructure failure. The most recent engineering report was given to the city on 3/3/25 - it stated that collapse of this building is imminent - it was not and is not being taken seriously - the city officals look at the latest engineers resume and act on nothing - if this

mans resume (attached) is not taken serious , and his words are not taken serious - then TEXAS is in serious trouble. And TEXAS - is going to solve this problem when TEXAS shows up.

Quickly:

From the start - The building owners have not asked for any monetary compensation - we want only to correct our foundations and set these properties right with the assurance that the work we do to our building will not be in vain - even now, with this emergency, I am going to build a structure that holds up another structure, both of which are on unstable ground - This logic is the reason That TDEM must take this matter serious - As Christ my witness , I know not to build anything on unstable ground - and those who recommend that I build and trust such a structure need to be investigated.

We’re also not asking the city to fix anything – we’re asking them to test a pipe we know has had a leak in the past; we know the pipe is old , partially damage , and due to be replaced. We’re asking them to test it to see if that is the problem – If it’s not the problem , we need to know that it’s not the problem so we can move towards solving the problem. If it is the problem, then they've been keeping the rest of the citizenry from solving the problem for years.

They will scheme – if you say test it they will test the portion of the pipe that is undamaged and say see the rest is undamaged – or they will test it incorrectly – they will do anything but address the situation that began years ago and is now spiraling - there must be an independent investigator – These buildings in TEXAS that have stood for all these years deserve respect - in my building alone sits 250 year old Red Pine - it was harvested here in Linden in the 1920's - this species of wood no longer grows in Texas - each one of these building has a similar story. It's Texas - So the city failed - I need Texas - This problem can be resolved in weeks - it has taken years to get to THIS POINT.

We can do so much better here. A wise man or woman could make this right and put us on the right path in a few days if not hours. I pray you use every ounce of authority you have to get them to move today, we have exhausted all efforts.

Primary Request - That the TDEM contact the officials and hasten the process of getting permission to build this support structure.

Secondary Request - Conduct an investigation regarding the handling of this situation and any neglect that led to 600 years of TEXAS history being put at risk.

Come quick,

Cliff Stephens

903-665-0685

cliff@anexso.life

**EXHIBIT B** Email Transcript: March 22, 2025

*(Nathan - received response required - please forward this to the Department Head)*

Request for Emergency Compliance Order – Cass County Courthouse

Nathan Carroll
Regional Director
Texas Division of Emergency Management

Dear Mr. Carroll,

Pursuant to Section 418.041 of the Texas Disaster Act of 1975 and related provisions, I am formally requesting that the Texas Division of Emergency Management (TDEM) issue a compliance order directing the Cass County Judge to:

1. Relocate his chambers and operational facilities to the Cass County Courthouse; and
2. Rectify the courthouse's documented security deficiencies, notably the absence of armed security personnel.

## Basis for This Request

The Cass County Judge’s failure to respond to a declared emergency, combined with the ongoing security deficiencies at the Cass County Courthouse, constitutes a direct violation of both Chapter 418 of the Texas Disaster Act and Senate Bill 42 (2017) — the Judge Julie Kocurek Judicial and Courthouse Security Act.

### 1. Noncompliance with Emergency Management Obligations

A formal emergency was declared in Cass County on March 6, 2025 (see attached Emergency Declaration).

- Under Section 418.108(g), local officials, including county judges, are obligated to ensure operational continuity and coordinate emergency responses.
- The Cass County Judge failed to respond within the 72-hour window implied under Chapter 418 for emergency response and operational continuity.

- The Judge’s continued absence from the courthouse—his designated seat of authority—since the declaration constitutes a failure to act and a breakdown in command and control.

Under Section 418.042(a), TDEM is empowered to “provide technical assistance” and enforce compliance when local officials fail to act. The Judge’s failure to maintain operational control at the courthouse undermines TDEM’s statutory obligation to maintain a unified emergency management system (Section 418.002). This inaction requires immediate corrective action.

2. Violation of Courthouse Security Standards (SB 42)

Senate Bill 42, codified in Government Code Section 71.031, mandates that each county establish a Court Security Committee to assess and address courthouse security risks.

The Cass County Courthouse currently operates without security, despite the Cass County Clerk’s requests for security. Repeat: ZERO security in the courthouse. The Clerk will confirm that her requests for security have gone unanswered, and no response has been received regarding her concerns.

- Under SB 42, counties are required to:
    - Form a Court Security Committee (Gov. Code § 71.031(b));
    - Conduct regular security risk assessments (Gov. Code § 71.031(c)); and

    - Implement protective measures based on findings (Gov. Code § 71.031(d)).

I formally request that TDEM provide:

- Proof of the Committee’s existence in Cass County;
- Records of security assessments conducted since 2024;
- Meeting minutes reflecting action on the Clerk’s requests; and
- Evidence of any response to the identified security gap.

Absent such documentation, Cass County is in clear breach of SB 42.
TDEM’s failure to enforce these standards would compound the violation, as Section 418.042(a)(3) tasks TDEM with ensuring local compliance during emergencies.

3. TDEM’s Statutory Duty and Broader Implications

Under Section 418.041(b), TDEM must coordinate a statewide emergency management framework. The Cass County Judge’s failure to respond and the courthouse’s unresolved security deficiencies compromise this framework.
If TDEM does not act, it risks:

- A precedent that weakens enforcement of emergency compliance statewide;

- Heightened legal and operational liability for failing to uphold Chapter 418; and
- Erosion of public trust in Texas' disaster response infrastructure.

## 4. Legal Basis for Action

Should TDEM fail to act, I will pursue a Petition for Writ of Mandamus in Travis County District Court.

Under Texas law, a writ of mandamus is appropriate when a public official or agency fails to fulfill a clear legal duty.

- Chapter 418.041(b) imposes a mandatory duty on TDEM to coordinate and enforce emergency response compliance at the state level.
- If TDEM refuses to issue a compliance order despite clear operational failures under Chapter 418 and SB 42, that creates grounds for mandamus.

## 5. Notice of Escalation

If this request is denied or ignored, filings will occur in Travis County District Court, where TDEM and its leadership will be required to stand by the actions of the Cass County Judge and explain, in great detail, why they believe these actions constitute an adequate response to any emergency. Additionally, TDEM will be required to justify the lack of security at the Cass County Courthouse, and why the absence of security at such a critical location is deemed acceptable under the law.

6. Response Deadline

Please confirm receipt of this request by 5:00 PM CDT on March 24, 2025 (48 hours from submission). A substantive response addressing the compliance order is expected by March 27, 2025.
Failure to meet these deadlines will establish procedural noncompliance under Chapter 418 and increase TDEM's exposure to litigation and operational liability.

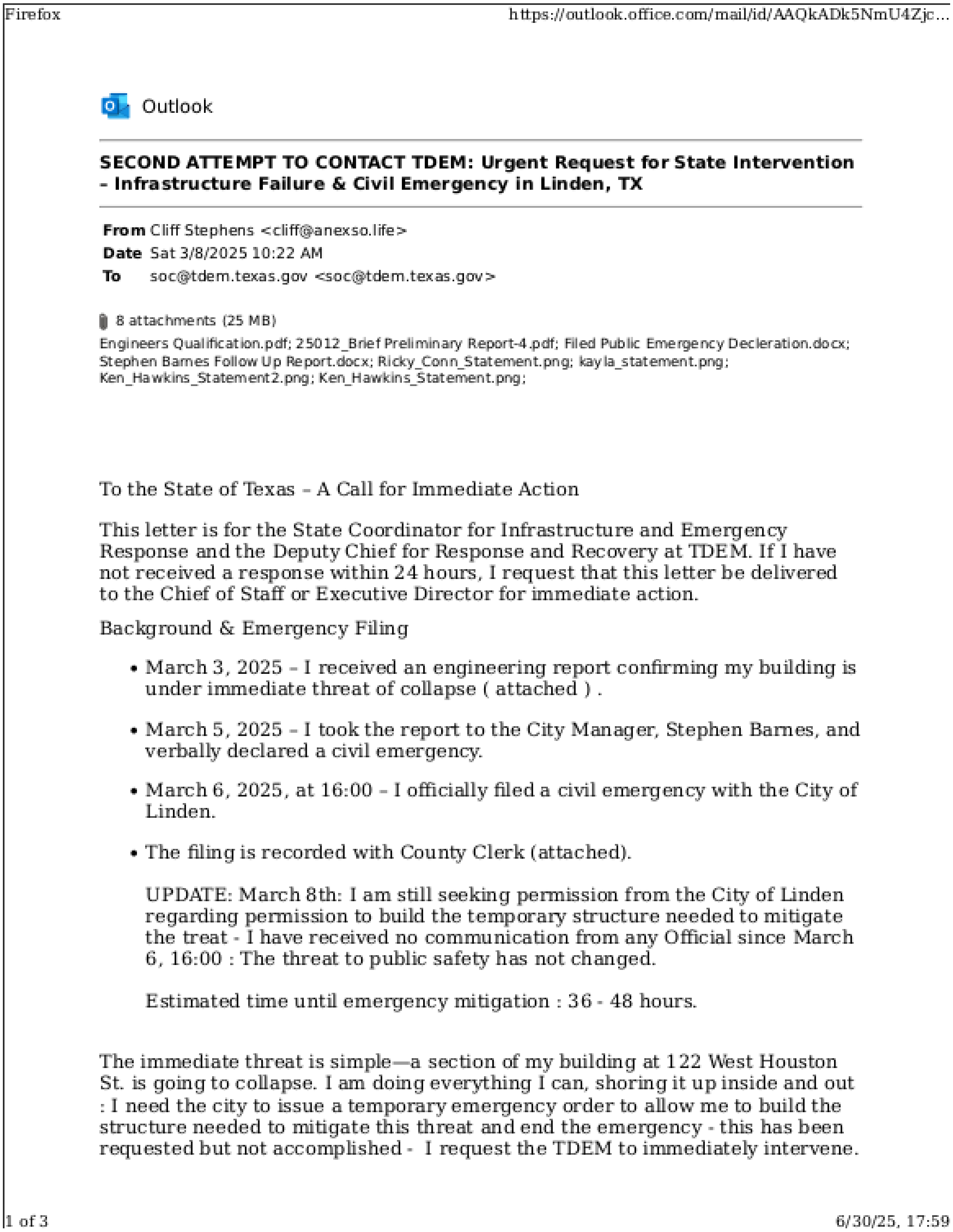
Thank you for your prompt attention to this issue. I trust TDEM will fulfill its duty to safeguard Texas' emergency management system.
Sincerely,

Cliff Stephens

Cliff@anexso.life

903-665-0685

## Exhibit C: Transmission and Receipt Records for Exhibits A and B



Outlook

**SECOND ATTEMPT TO CONTACT TDEM: Urgent Request for State Intervention – Infrastructure Failure & Civil Emergency in Linden, TX**

**From** Cliff Stephens <cliff@anexso.life>
**Date** Sat 3/8/2025 10:22 AM
**To** soc@tdem.texas.gov <soc@tdem.texas.gov>

8 attachments (25 MB)

Engineers Qualification.pdf; 25012_Brief Preliminary Report-4.pdf; Filed Public Emergency Decleration.docx; Stephen Barnes Follow Up Report.docx; Ricky_Conn_Statement.png; kayla_statement.png; Ken_Hawkins_Statement2.png; Ken_Hawkins_Statement.png;

To the State of Texas – A Call for Immediate Action

This letter is for the State Coordinator for Infrastructure and Emergency Response and the Deputy Chief for Response and Recovery at TDEM. If I have not received a response within 24 hours, I request that this letter be delivered to the Chief of Staff or Executive Director for immediate action.

Background & Emergency Filing

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Cliff Stephens
903-665-0685
cliff@anexso.life

Outlook

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**Request for Emergency Compliance Order – Cass County Courthouse**

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**From** Cliff Stephens <cliff@anexso.life>
**Date** Sat 3/22/2025 10:44 PM
**To** Nathan Carroll <nathan.carroll@TDEM.texas.gov>

1 attachment (8 KB)
Filed Public Emergency Decleration.docx;

*(Nathan - received response required - please forward this to the Department Head)*

**Request for Emergency Compliance Order – Cass County Courthouse**

Nathan Carroll
Regional Director
Texas Division of Emergency Management

Dear Mr. Carroll,

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1. **Relocate his chambers and operational facilities** to the Cass County Courthouse; and
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**Basis for This Request**

The Cass County Judge's failure to respond to a declared emergency, combined with the ongoing security deficiencies at the Cass County Courthouse, constitutes a direct violation of both **Chapter 418** of the Texas Disaster Act and **Senate Bill 42 (2017)** — the **Judge Julie Kocurek Judicial and Courthouse Security Act**.

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### 1. Noncompliance with Emergency Management Obligations

A formal emergency was declared in Cass County on **March 6, 2025** (see attached **Emergency Declaration**).

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- The Cass County Judge failed to respond within the **72-hour window** implied under Chapter 418 for emergency response and operational continuity.
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Under **Section 418.042(a)**, TDEM is empowered to "provide technical assistance" and enforce compliance when local officials fail to act. The Judge's failure to maintain operational control at the courthouse undermines TDEM's statutory obligation to maintain a unified emergency management system (**Section 418.002**). This inaction requires immediate corrective action.

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### 2. Violation of Courthouse Security Standards (SB 42)

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- Erosion of public trust in Texas' disaster response infrastructure.

---

### 4. Legal Basis for Action

Should TDEM fail to act, I will pursue a **Petition for Writ of Mandamus** in **Travis County District Court**.

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- If TDEM refuses to issue a compliance order despite clear operational failures under Chapter 418 and SB 42, that creates grounds for mandamus.

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---

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Sincerely,

Cliff Stephens
Cliff@anexso.life
903-665-0685

# Exhibit D – TDEM Acknowledgment and Response to Emergency Request (Exhibit A)

Outlook

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RE: SECOND ATTEMPT TO CONTACT TDEM: Urgent Request for State Intervention – Infrastructure Failure & Civil Emergency in Linden, TX

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From State of Texas SOC <SOC@tdem.texas.gov>
Date Sat 3/8/2025 10:24 AM
To Cliff Stephens <cliff@anexso.life>

Received and forwarded.

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From: Cliff Stephens <cliff@anexso.life>
Sent: Saturday, March 8, 2025 10:22 AM
To: State of Texas SOC <SOC@tdem.texas.gov>
Subject: SECOND ATTEMPT TO CONTACT TDEM: Urgent Request for State Intervention – Infrastructure Failure & Civil Emergency in Linden, TX

To the State of Texas – A Call for Immediate Action

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  Estimated time until emergency mitigation : 36 - 48 hours.

6/30/2025 7:02 PM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Ana Lopez

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

Cliff Stephens

PETITIONER

v.

TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

and CASS COUNTY

RESPONDENTS

353rd JUDICIAL DISTRICT

# Supplemental Record and Notice of Imminent Escalation

TO THE HONORABLE JUDGE OF SAID COURT

Petitioner notes that no lawful reason has been provided for the refusal to grant permission to mitigate a known structural risk. The City of Linden has falsely stated that it does not own the land on which the easement is located. The record reflects otherwise. The City holds title to the parcel and possesses full authority to authorize access. That authority has now been withheld for 113 days without explanation. County Judge Travis Ransom was notified shortly thereafter and has remained silent for 112 days. The Texas Department of Emergency Management, through Nathan Carroll, has been aware of the matter for 112 days. Petitioner filed with the 353rd District Court 84 days ago and has received no ruling, hearing, or written acknowledgment. The 5th District Judge, though not named explicitly in the original emergency petition, maintains jurisdictional responsibility over courthouse continuity and safety. The record reflects no direct acknowledgment or response from that office. Instead, the Cass County District Attorney responded, which cannot substitute for judicial clarification or oversight. The 10th Regional Presiding Judge has had notice for 51 days, and the 3rd Regional Presiding Judge for 10 days.

Absent any statutory or procedural justification, this sustained silence now functions as an institutional obstruction to public safety and a breach of lawful governance. Petitioner is left with no choice but to treat the cumulative inaction of these offices as *administrative concealment* until transparency and lawful authorization are restored.

# Notice of Pending Escalation to Appellate Review

Petitioner respectfully informs the Court that the ninety-day threshold following the emergency filings in this matter is now approaching without ruling, hearing, or acknowledgment. This period mirrors the sustained silence of the Cass County Judge, whose inaction has persisted for more than one hundred twenty days since receiving notice of the same emergency conditions.

Should this Court allow the ninety-day threshold to pass without action, Petitioner will interpret the silence as institutionally equivalent to that already documented at the county level. At that point, Petitioner will proceed with escalation to the Third Court of Appeals through a Petition for Writ of Mandamus, on the grounds of continued denial of due process during an active emergency.

This notice is filed as a final courtesy and in full respect of the Court's authority to resolve the matter prior to referral.

# Institutional Notice and Silence Record

City of Linden

Elapsed Time: 113 days

Cass County Judge (Travis Ransom)

Elapsed Time: 112 days

Texas Department of Emergency Management (Nathan Carroll)

Elapsed Time: 112 days

353rd District Judge

Elapsed Time: 84 days

10th Regional Presiding Judge

Elapsed Time: 51 days

3rd Regional Presiding Judge

Elapsed Time: 10 days

Respectfully,

Cliff Stephens

Pro se

Linden Tx, 75563

June 30th, 2025

6/30/2025 9:39 PM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Ana Lopez

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

Cliff Stephens

PETITIONER

V

TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

and CASS COUNTY

RESPONDENTS

353rd JUDICIAL DISTRICT

# Supplemental Notice of Federal Grant Oversight and Material Non-Disclosure

-

**TO THE HONORABLE JUDGE OF SAID COURT:**

Petitioner respectfully submits the following notice regarding *recent* developments involving the City of Linden, Texas, in connection with a pending state emergency and related financial oversight:

## I. PIR Response and Jurisdictional Clarification

Petitioner received a written response from **Amanda Davis** on behalf of the City of Linden regarding a Public Information Request (PIR) titled "RECORD SUMMARY PUBLIC INFORMATION REQUEST", associated with Envelope #102042858. Ms. Davis stated that the City possesses no responsive documentation.

Petitioner notes that this PIR was originally directed and served on the Cass County Judge and the District 5 Judge on June 16, 2025, and was only provided to the City Manager as a courtesy. The filing did not originate from the City of Linden, nor did it seek municipal documents. The City's denial of records, while not legally required to respond to a request not directed at it, now intersects with a broader concern of institutional non-disclosure.

## II. Audit Notification and State Oversight

Petitioner now notifies the Court that the Texas State Auditor's Office has opened a formal case under Control Number 8d2ccfec-94f1-4752-8498-7a239b937552, concerning the City of Linden's application for and use of federal disaster-resilience funds under the CDBG-MIT Resilient Communities Program (Grant Code: 23-160-087-F097).

## III. Statement of Material Non-Disclosure and Federal Risk Position

The City of Linden has applied for, received, *and is currently spending* federal grant funds while knowingly ignoring long-standing infrastructure failures. *Mayor Lynn Reynolds* is especially capable of speaking to the duration and extent of this institutional disregard.

This pattern of negligence culminated in the current emergency, now recorded on the State Emergency Record and confirmed by engineering analysis dated March 3, 2025. The emergency has been declared, acknowledged by state authorities, and remains unresolved.

As part of the CDBG-MIT process, the City must certify whether *any known or active hazards* exist within the community. If the City of Linden *falsely certified* that there were *no known hazards*, or if it failed to disclose backlogged maintenance, unaddressed infrastructure failures, or an ongoing, state-acknowledged emergency, then the City has submitted a materially misleading grant application.

Further, if the City has continued to represent to federal authorities that conditions are stable or resolved, without updating them on the open emergency still on record, it may now be in active non-compliance with federal reporting obligations.

These combined acts or omissions may constitute:

- Material misrepresentation during application;
- Negligent or knowing concealment of risk;
- And ongoing failure to update federal officials about a condition directly impacting the purpose of the grant.

## IV. Outstanding Information and Request for Records

No records were requested from the City in the filing served on June 16, 2025. However, a second, targeted PIR was delivered to City Manager Megan Kirkland on June 17, 2025, specifically requesting records related to federal grant receipt and hazard disclosures. That information remains outstanding. *A reasonable response window of three business days applies under Texas law. If the City Manager believes the request has been lost or misfiled, an updated Public Information Request will be served the same day.*

Petitioner now formally requests that Amanda Davis, on behalf of the Emergency Record, ask the City of Linden to produce the documents requested in the June 17th PIR, so that the facts may be made known within a reasonable time.

Petitioner welcomes the City's participation and notes that **Amanda Davis** now serves as its voice on the Emergency Record.

## V. Designation of Representative and Emergency Record Participation

Petitioner states that this filing has already been delivered to **Ms. Amanda Davis**, who provided a written response on behalf of the City of Linden to a Public Information Request directly associated with the active Emergency Record (Envelope #102042858). That response, titled “RECORD SUMMARY PUBLIC INFORMATION REQUEST,” now stands as the City’s *first* formal contribution to the matter presently before the Court.

By *submitting* this response, Ms. Davis has effectively become the point of contact for the City within this emergency proceeding. Participation creates responsibility. Should the City need to clarify, correct, or supplement the record, Ms. Davis is now the natural conduit for doing so.

Petitioner respectfully requests that Ms. Davis, in light of her participation, work with the City to ensure that the outstanding June 17 PIR is answered in full so that relevant documents may be entered into the Emergency Record in a timely and cooperative manner.

This matter is now respectfully presented for the Court’s awareness and ongoing review.

## VI. Action Item Initiated

Petitioner hereby *assigns* the following action item to the Emergency Record and delivers it to Amanda Davis, legal counsel for the City of Linden:

> Responsible Party: Amanda Davis, on behalf of the City of Linden
>
> Action Required: Produce documents responsive to the June 17, 2025 Public Information Request
>
> Deadline: July 3, 2025 (close of business)

This item is now active and awaiting fulfillment. Upon completion, the Emergency Record will be updated accordingly. If unfulfilled by the stated deadline, Petitioner reserves the right to pursue formal remedy through the Court or relevant oversight authorities.

Respectfully submitted,

Cliff Stephens

Pro se

Linden Tx, 75563

June 30, 2025

# Exhibit A

**Amanda Davis – Initial Correspondence on Behalf of the City of Linden**
(Email screenshot attached)

*June 30, 2025*

*VIA EMAIL: CLIFF@ANEXSO.LIFE*

*Cliff Stephens*

*Re: Public Information Request - City of Linden ID No. Stephens 6.16.25*

*Dear Requestor:*

*This firm represents the City of Linden (the "City") regarding the above-referenced matter. On June 16, 2025, the City received your request for information, a copy of which is attached hereto. After a good faith search, the City determined it maintains no existing records responsive to the request. This request is now closed.*

*If you have any questions regarding this matter, please do not hesitate to contact me or you may direct your questions to the staff at the Office of the Attorney General at (512) 478-OPEN (6736) or toll-free at (877) OPEN-TEX (673-6839).*

*Sincerely,*

*Amanda Davis*

**BROWN & HOFMEISTER, L.L.P.**

740 East Campbell Road, Suite 800
Richardson, Texas 75081
Phone: (214) 747-6100
Fax: (214) 747-6111
www.bhlaw.net

June 30, 2025

**VIA EMAIL: CLIFF@ANEXSO.LIFE**
Cliff Stephens

Re: Public Information Request - City of Linden ID No. Stephens 6.16.25

Dear Requestor:

This firm represents the City of Linden (the "City") regarding the above-referenced matter. On June 16, 2025, the City received your request for information, a copy of which is attached hereto.

After a good faith search, the City determined it maintains no existing records responsive to the request. This request is now closed.

If you have any questions regarding this matter, please do not hesitate to contact me or you may direct your questions to the staff at the Office of the Attorney General at (512) 478-OPEN (6736) or toll-free at (877) OPEN-TEX (673-6839).

Sincerely,

Amanda Davis

Amanda Davis

7/1/2025 2:11 PM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Candy Schmidt

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

Cliff Stephens

PETITIONER

V

TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

and CASS COUNTY

RESPONDENTS

353rd JUDICIAL DISTRICT

# Supplemental Motion for Judicial Notice and Procedural Clarification Regarding Counsel Participation

TO THE HONORABLE JUDGE OF SAID COURT:

Petitioner submits this Supplemental Statement to clarify the legal and procedural status of Amanda Davis, attorney at Brown & Hofmeister, LLP, in relation to the Emergency Record filed under Cause No. D-1-GN-25-002397.

## I. Summary of Legal Participation

On June 30, 2025, attorney Amanda Davis, acting in her official capacity and under firm letterhead, issued a formal written response to a Public Information Request titled "Record Summary, Public Information Request, and Request for Preservation of Emergency Record for State and Federal Review," associated with Envelope #102042858 and now entered into the Emergency Record under this Cause.

This response constitutes the only formal acknowledgment received from any legal representative of the City of Linden, Texas, regarding the active, state-recognized emergency presently before the Court.

Said response directly references matters of public infrastructure, federal grant activity, and questions material to state and federal compliance under ongoing audit review.

## II. Attempted Disclaimer Following Legal Participation

On July 1, 2025, attorney Amanda Davis issued a written statement asserting that neither she nor her firm represents the City of Linden in the matter referenced under this Cause. The statement was issued after formal participation in the Emergency Record had occurred.

Petitioner notes the following:

- The original June 30 response was not identified as personal in nature, but was issued on firm letterhead under the name and authority of Brown & Hofmeister, LLP.
- The response addressed statutory obligations related to public information and acknowledged receipt of documents expressly tied to filings entered under this Cause Number.
- No formal notice of appearance, nor motion to withdraw, has been filed with the Court by Ms. Davis or her firm.

Accordingly, the attempted disclaimer cannot be construed as a *procedural withdrawal* from participation already established within the Emergency Record.

## III. Procedural Clarification and Legal Standing

Petitioner affirms that no party may alter the legal status of the Emergency Record through informal or post-facto disclaimer.

A formal response was made by counsel acting under firm authority. Based on that participation, an Action Item was issued and *remains* active within the Emergency Record under this Cause.

The Emergency Record now reflects legal participation by Brown & Hofmeister, LLP.

Should Ms. Davis or her firm seek removal or clarification of their standing, such relief must be requested through formal filing before the Court. *Email correspondence does not constitute valid procedural withdrawal and will not alter the existing record.*

## IV. Emergency Record Authority

The Emergency Record in this matter is maintained under an active, unresolved, and state-acknowledged condition of public hazard. It encompasses:

- A live investigation by the Texas State Auditor’s Office;
- Unfulfilled emergency response obligations;
- Potential exposure involving federal disaster-resilience funding; and
- Jurisdictional oversight by this Court and other state agencies.

No party - whether attorney, official, or governmental entity - may unilaterally redefine, disclaim, or withdraw from the Emergency Record once formal engagement has occurred. The legal posture of this Record is fixed by action and participation.

## V. Relief Requested

Petitioner respectfully requests that the Court:

1. Take judicial notice that Brown & Hofmeister, LLP formally participated in the Emergency Record under this Cause;
2. Deny any attempt to remove or disclaim said participation by informal or extrajudicial means;
3. Affirm that participation creates procedural responsibility, and that failure to fulfill assigned Action Items shall remain on the Emergency Record unless formally addressed through *proper* motion or withdrawal.

Respectfully Submitted,

Cliff Stephens

Linden Tx, 75563

July 1, 2025

Exhibit A

Email Correspondence from Amanda Davis (July 1, 2025)

Including original text and supporting screenshot:

Amanda Davis<adavis@bhlaw.net>

Cliff Stephens

Good morning,

I am solely responsible for processing the City’s public information requests. I, nor the firm, represent the City in the matter you reference below.

Thank you,

Amanda Davis

Attorney

Outlook

**RE: Public Information Request - City of Linden ID No. Stephens 6.16.25**

**From** Amanda Davis <adavis@bhlaw.net>
**Date** Tue 7/1/2025 10:10 AM
**To** Cliff Stephens <cliff@anexso.life>

Good morning,

I am solely responsible for processing the City's public information requests. I, nor the firm, represent the City in the matter you reference below.

Thank you,

**Amanda Davis**
Attorney

**Brown & Hofmeister, LLP** | 740 E. Campbell Road | Suite 800 | Richardson, TX 75081
Main: 214.747.6100 | Direct: 214-431-0204 | Fax: 214-747-6111 | www.bhlaw.net

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7/1/2025 10:40 PM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Candy Schmidt

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

Cliff Stephens

PETITIONER

V

TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

and CASS COUNTY

RESPONDENTS

353rd JUDICIAL DISTRICT

# Supplemental Motion for Emergency Referral, Procedural Clarification, and Immediate Relief Authorization

## TO THE HONORABLE JUDGE OF SAID COURT

## I. Summary of Events

On July 1, 2025, attorney Amanda Davis issued a written statement declaring:

> "I, nor the firm, represent the City in the matter you reference below."

This disclaimer was issued after Ms. Davis had already responded to a Public Information Request tied directly to the Emergency Record now before this Court.

Later that same day, under her name and firm letterhead, a formal 10-Day Letter was submitted to the Texas Attorney General, invoking all statutory exemptions under Texas Government Code §§ 552.101–552.160 in an attempt to withhold responsive documents related to federal disaster funding, public infrastructure risk, and emergency compliance.

This sequence of events constitutes:

- Confirmation that responsive records exist;
- Admission of participation in a live judicial emergency proceeding;
- And an active attempt to obstruct access to records material to this Court's review of a declared, unresolved hazard.

Petitioner asserts that such conduct represents a pattern of procedural evasion, legal instability, and institutional concealment under active emergency - now escalated to the level of executive oversight.

## II. Legal and Procedural Risk

The conduct described above presents a direct risk to both judicial efficiency and emergency governance. Specifically:

- It undermines judicial transparency by presenting contradictory legal positions concerning participation and responsibility;
- It delays emergency response efforts related to a known and unresolved public hazard under state-recognized emergency designation;
- It erodes the procedural integrity of the Emergency Record by introducing instability in representation and accountability;
- And it exemplifies what administrative and emergency law recognize as a breakdown in the chain-of-responsibility during an active hazard - a condition in which governmental actors or their agents refuse to maintain consistent roles, evade assigned duties, or introduce procedural confusion during time-sensitive emergencies.

Such behavior actively threatens the ability of this Court and relevant oversight bodies to ensure lawful response to an acknowledged risk affecting both infrastructure and public safety.

## III. Institutional Pattern and Grounds for Caution

Petitioner respectfully notes that the City of Linden and its leadership are part of the same institutional body that, from the outset, chose obfuscation over resolution. Rather than address the public hazard directly, the City delayed, withheld, and denied - all while the underlying emergency worsened.

Now, instead of correcting course, the City has retained outside counsel whose first act was to issue a false disclaimer of representation to this Court. That counsel, Amanda Davis, is now fully involved, having filed a formal 10-Day Letter with the Texas Attorney General concerning the very matter she claimed her firm was uninvolved in.

Petitioner continues to be denied the opportunity to secure relief or resolve his property risk. The refusal to grant even verbal permission - which could have lawfully ended this emergency - reveals a pattern of procedural evasion and calculated delay. Petitioner has reason to fear the conduct of these actors, as their actions to date have consistently undermined the public record, judicial trust, and the path to lawful resolution.

The Court should conclude that the current legal representatives engaged by the City do not meet the threshold of *integrity* necessary to facilitate emergency relief. Petitioner's caution is the result of repeated, observable misconduct. The record now speaks for itself.

## IV. Standing to Escalate

Petitioner affirms that contact with the Office of the Attorney General originated not from his filings, but from the City's legal representative, who submitted a 10-Day Letter invoking broad exemptions under the Texas Public Information Act. This action followed a Public Information Request already entered into the Emergency Record.

Through that filing, the City of Linden brought the Attorney General's Office into procedural proximity with this case. A separate branch of state oversight now shares jurisdictional awareness of a hazard under judicial review.

Petitioner acknowledges that alignment. The City's counsel disclaimed representation in the morning, then asserted control by evening. Legal status changed. The proper response is forward motion.

What began as a legal shield now forms a procedural pathway. The City opened the door to executive oversight. Petitioner respectfully requests that the Court proceed accordingly and affirm that coordination is underway.

This is movement through the record, not escalation. Oversight has been invoked by the opposing party. The emergency persists. Petitioner's position remains: the hazard is known, permission to address it remains ungranted, and the risk continues to grow. Coordination now serves both urgency and law.

## IV. Relief Requested

Petitioner respectfully asks that this Court:

1. Acknowledge that participation and contradiction by the City’s legal counsel have occurred;
2. Recognize that the documents now before the AG relate directly to this Court’s Emergency Record and unresolved hazard;
3. Refer Cause No. D-1-GN-25-002397 and associated filings to the Attorney General’s Public Integrity Unit, with notice of the contradiction, the emergency condition, and ongoing efforts to obstruct resolution;
4. Affirm that judicial and executive oversight are now mutually engaged - and that Petitioner’s record stands on process, not preference.

## V. Supplemental Prayer for Emergency Relief

Petitioner respectfully requests that this Court issue an immediate judicial acknowledgment of the structural hazard documented in the engineering reports entered into the Emergency Record, and grant limited authority to access the adjacent State-owned property to remove the compromised wall segment posing imminent danger.

The record reflects a coordinated pattern of inaction. The City of Linden, Cass County, and officers of the Fifth Judicial District have deferred to one another, creating a procedural standstill. As a result, Petitioner remains unable to lawfully address an advancing threat that now endangers life and infrastructure.

The wall continues to deteriorate. It leans toward an active gas line beneath a live electrical panel. The hazard is known. No action has been taken.

Petitioner submits that the risk is immediate, notice has been given, and this Court stands as the only authority in position to authorize lawful mitigation. Delay increases both physical danger and institutional liability.

## VI. Conclusion

The City’s recent engagement of legal counsel has further destabilized the record. Contradictory statements and evasive conduct by Brown & Hofmeister, L.L.P. and Amanda Davis suggest a posture of delay rather than resolution.

This conduct  -  legal and governmental  -  now amplifies the original risk. Petitioner asserts that such indifference rises beyond neglect and signals institutional malice. The Emergency Record shows intent to obstruct, not resolve.

Cliff Stephens

Pro se

Linden Tx, 75563

July 1, 2025

**EXHIBIT A**

**Letter from Amanda Davis to Texas Attorney General**

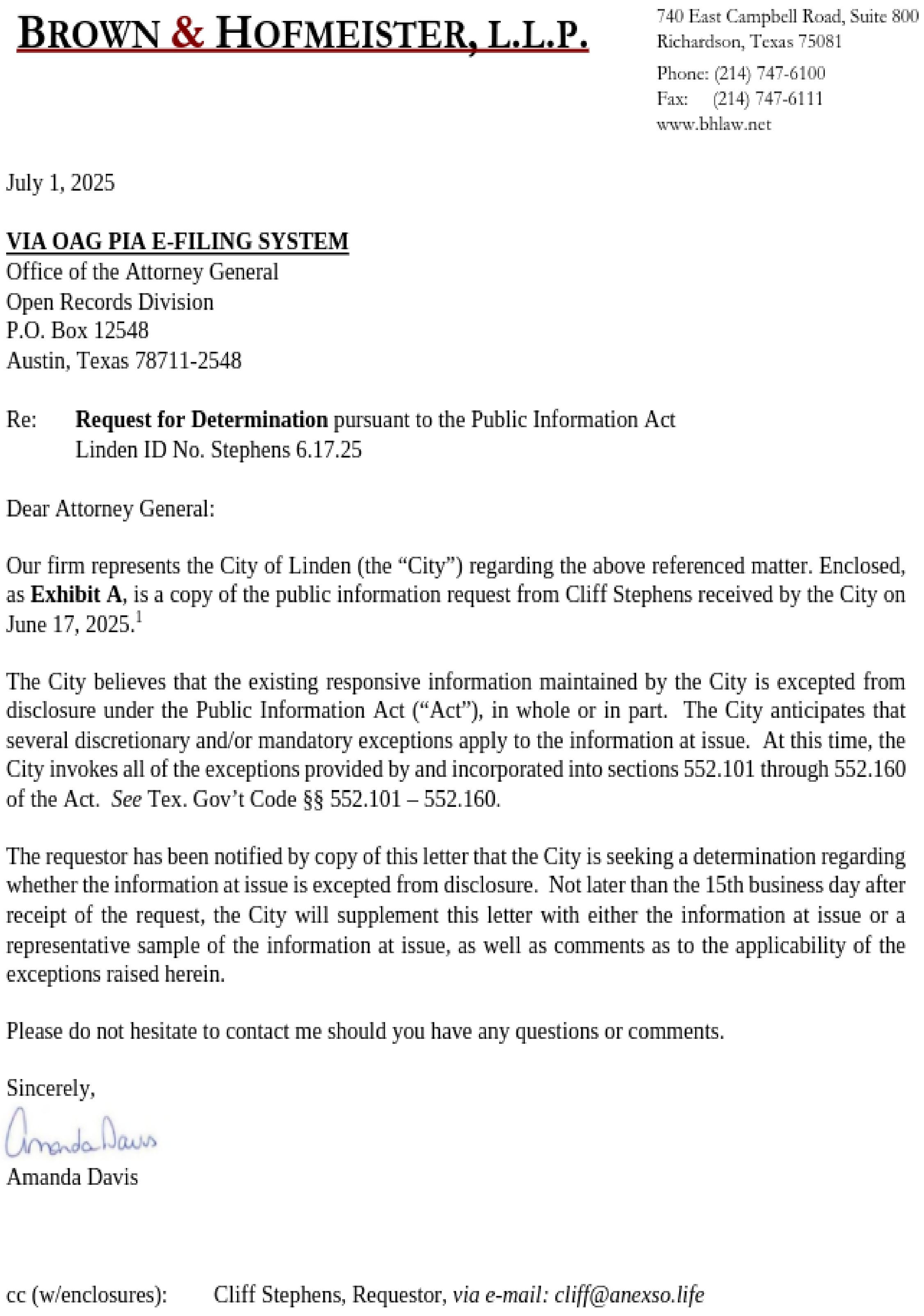
**Dated: July 1, 2025**

**Subject: 10-Day Determination Letter Regarding Public Information Request (Stephens ORR 06.17.25)**

This exhibit contains the formal correspondence from attorney Amanda Davis of Brown & Hofmeister, L.L.P., on behalf of the City of Linden, invoking exemptions under Texas Government Code §§ 552.101–552.160 and transmitting the request to the Office of the Attorney General. The letter constitutes legal participation in the Emergency Record and confirms the existence of responsive documents tied to federal oversight and emergency compliance.

*A true and correct copy of the letter is attached below.*

**EXHIBIT A : Screenshot**



BROWN & HOFMEISTER, L.L.P.

740 East Campbell Road, Suite 800
Richardson, Texas 75081
Phone: (214) 747-6100
Fax: (214) 747-6111
www.bhlaw.net

July 1, 2025

**VIA OAG PIA E-FILING SYSTEM**
Office of the Attorney General
Open Records Division
P.O. Box 12548
Austin, Texas 78711-2548

Re: **Request for Determination** pursuant to the Public Information Act
Linden ID No. Stephens 6.17.25

Dear Attorney General:

Our firm represents the City of Linden (the "City") regarding the above referenced matter. Enclosed, as **Exhibit A**, is a copy of the public information request from Cliff Stephens received by the City on June 17, 2025.[1]

The City believes that the existing responsive information maintained by the City is excepted from disclosure under the Public Information Act ("Act"), in whole or in part. The City anticipates that several discretionary and/or mandatory exceptions apply to the information at issue. At this time, the City invokes all of the exceptions provided by and incorporated into sections 552.101 through 552.160 of the Act. *See* Tex. Gov't Code §§ 552.101 – 552.160.

The requestor has been notified by copy of this letter that the City is seeking a determination regarding whether the information at issue is excepted from disclosure. Not later than the 15th business day after receipt of the request, the City will supplement this letter with either the information at issue or a representative sample of the information at issue, as well as comments as to the applicability of the exceptions raised herein.

Please do not hesitate to contact me should you have any questions or comments.

Sincerely,

Amanda Davis
Amanda Davis

cc (w/enclosures): Cliff Stephens, Requestor, *via e-mail: cliff@anexso.life*

**EXHIBIT A : Transcript**

July 1, 2025

VIA OAG PIA E-FILING SYSTEM

Office of the Attorney General

Open Records Division

P.O. Box 12548

Austin, Texas 78711-2548

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Linden ID No. Stephens 6.17.25

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The requestor has been notified by copy of this letter that the City is seeking a determination regarding whether the information at issue is excepted from disclosure. Not later than the 15th business day after receipt of the request, the City will supplement this letter with either the information at issue or a representative sample of the information at issue, as well as comments as to the applicability of the exceptions raised herein.

Please do not hesitate to contact me should you have any questions or comments.

Sincerely,

Amanda Davis

7/8/2025 8:00 AM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Selina Hamilton

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

Cliff Stephens

PETITIONER

V

TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

and CASS COUNTY

RESPONDENTS

353rd JUDICIAL DISTRICT

# SUPPLEMENTAL FILING:

## *Cass County Judge's Response, Procedural Default, and Resulting Judicial Vacuum*

## TO THE HONORABLE JUDGE OF SAID COURT

Petitioner respectfully submits this filing as a supplemental record establishing procedural default by the Cass County Judge, administrative disengagement by the District 5 Judge, and the resulting creation of a judicial vacuum now operating outside the statutory control of the Texas judiciary.

## I. MARCH 6, 2025 – INITIAL DECLARATION OF EMERGENCY

On March 6, 2025, Petitioner submitted a formal Declaration of Emergency following receipt of an engineering report identifying an imminent structural failure involving an active gas line and electrical hazard located within the City of Linden. This hazard poses a risk to public safety and required immediate mitigation. Petitioner formally requested emergency authorization to proceed with hazard abatement.

Said request was directed to the Cass County Judge, Travis Ransom, as the official authorized under state law to issue such emergency relief within the county. To date, the Cass County Judge has issued no response, acknowledgment, or communication of any kind regarding this emergency declaration. No directive, action, or instruction has been received. The absence of response constitutes procedural failure under Texas emergency law.

## II. APRIL 7, 2025 – FILING WITH THE 353RD DISTRICT COURT

On April 7, 2025, Petitioner submitted a formal Emergency Petition to the 353rd District Court sitting in Travis County. A physical copy of the Petition was delivered directly to the office of the Cass County Judge, the Honorable Travis Ransom.

Said Petition contained a full procedural history of the declared emergency, including the engineering analysis, the absence of official response, and the risk to public safety.

No response, acknowledgment, or communication has been received from the Cass County Judge in connection with this filing. The continued absence of response constitutes a secondary failure of procedural duty.

## III. MAY 13, 2025 PUBLIC INFORMATION REQUEST – PROCEDURAL STRESS TEST AND RESULTING FAILURE

On May 13, 2025, Petitioner submitted a Public Information Request (PIR) to the Cass County Judge, Travis Ransom, titled *Memorandum Regarding Public Information Request and Judicial Review*, formally entered into the Emergency Record under Envelope 100775755.

This PIR requested the following:

> "Any documentation associated with the Cass County Court Security Committee, including but not limited to:
> – Meeting minutes
> Violation of Senate Bill 42 Under Senate Bill 42– Membership rosters or governing body designations"

This request was *narrowly* tailored and simple in nature. It sought readily obtainable, publicly available documentation concerning the statutory obligation under Senate Bill 42 to maintain an active Court Security Committee. The language used left no ambiguity.

Petitioner now reminds the Court that this filing was also submitted as a procedural stress test - deliberately designed to assess whether the Cass County Judge or his office would engage in basic statutory compliance when presented with a low-burden opportunity to do so.

No response was ever issued.

This procedural test - which included language and structure intended to make compliance as easy as possible - remains unmet and unanswered.

Petitioner then filed a follow-up motion, *Supplemental Filing Regarding Public Information Request and Procedural Failures*, entered into the record under Envelope 101531263, on June 3, 2025.

The following excerpt from that filing reflects the result of the test:

> Results of Procedural Stress Test: ADA Compliance Request
>
> “As part of a procedural stress test, Petitioner submitted a targeted information request regarding ADA compliance at the Cass County Courthouse. This request asked for any documentation, audits, or correspondence from 2017 to the present related to accessibility or structural justification for moving county operations.
>
> This was not a complex question. Petitioner deliberately chose a request with a known and publicly verifiable answer: the Cass County Courthouse was rededicated in 2012 and certified fully compliant with ADA standards, as listed on the Texas Historical Commission’s public record.
>
> If officials had any interest in transparency, cooperation, or procedural engagement, they could have responded simply by confirming the known fact: the courthouse is compliant.
>
> They did not.
>
> Their failure to provide even this most basic acknowledgment when the answer is not in dispute and the data is readily available demonstrates institutional disengagement.
>
> The test was simple. They failed.”

The record now reflects that Cass County officials were offered multiple opportunities to engage in minimal procedural cooperation. Their failure to respond to these targeted and transparent requests establishes a pattern of neglect that directly supports the continuing Emergency Record before this Court.

## IV. CONTEXT OF THE JUNE 16 PUBLIC INFORMATION REQUEST AND PROCEDURAL FAILURE TO INITIATE COMPLIANCE

On June 16, 2025, Petitioner submitted a Public Information Request (PIR) formally entered into the Emergency Record of the 353rd District Court under Envelope 102042858, titled *Record Summary, Public Information Request, and Request for Preservation of Emergency Record for State and Federal Review*.

This PIR was directed to both the Cass County Judge and the District 5 Judge in their administrative capacities. It sought public records regarding:

- The relocation of court venue from the Cass County Courthouse to the Cass County Justice Center;
- The existence and activity of the Cass County Court Security Committee;
- Internal communications regarding unresolved structural hazards, including the hazard declared in Petitioner's earlier emergency filings.

This PIR was grounded in administrative obligations under Senate Bill 42 and Texas Government Code Chapter 552, and it was accompanied by the following notice:

> VIII. Notice to the Cass County Commission and District 5 Judge
>
> "You are hereby given 10 business days to begin complying with this Public Information Request.
>
> Deadline: June 26, 2025.
>
> Failure to respond or produce lawful records confirming the transfer of court venue to the Cass County Justice Center will be treated as procedural abandonment of venue authority.
>
> If the Justice Center has been used merely out of convenience - without a formal vote, resolution, or public record - then continued use of that facility for judicial proceedings may constitute grounds for removal, disqualification, or legal challenge under both state and federal law."

Petitioner draws the Court’s attention to the phrase: "You are hereby given 10 business days *to begin* complying...". This language constitutes another procedural stress test.

Specifically, the test evaluated whether the Cass County Judge or the District 5 Judge would begin any process of responding to the PIR, whether partial, preliminary, or complete. The operative phrase “to begin” may also be interpreted as “to initiate,” “to start,” or “to take first steps.”

The purpose of this test was not to demand full compliance within 10 business days, but rather to assess whether either official would acknowledge the request and initiate the production of *any* responsive documents, including those already known to exist and not subject to dispute or exemption.

Neither the Cass County Judge nor the District 5 Judge initiated compliance.

Despite the availability of numerous non-sensitive, easily retrievable documents - including public meeting minutes, formal venue designations, or correspondence acknowledging the venue change - no material was produced or offered by the deadline.

## V. Delivery of Response by Mail on June 26, 2025

On June 26, 2025 - the final day of the prescribed compliance window - Judge Travis Ransom issued a written response, but not in regard to courthouse venue, the Court Security Committee, or the active emergency filings now under judicial review.

Instead, Judge Ransom responded solely to request clarification of the June 16, 2025 Public Information Request (PIR), offering no substantive engagement with the emergency record, the declared hazard, or the lawfully submitted documentation already filed in this matter.

This letter was sent via U.S. Mail and delivered to Petitioner's physical address.

The Court must note that this marks the first and only communication Petitioner has received from Judge Ransom in over 120 days, despite the existence of two pending emergency declarations filed across two judicial districts. Rather than respond to the filings that triggered this record - and which remain unresolved - Judge Ransom elected to issue a procedural delay, without acknowledging the emergency, its subject matter, or the governing obligations of his office.

Petitioner now submits this letter - a one-page correspondence from Judge Ransom - as formal evidence of engagement limited solely to a procedural deflection. The contents of the letter are reproduced here in full:

R. TRAVIS RANSOM

Cass County Judge

P.O. Box 825

Linden, Texas 75563

June 26, 2025

Mr. Cliff Stephens

981 CR 1456

Linden, TX 75563

Dear Mr. Stephens:

We have received your public information request for records relating to the relocation of the court operations, the court security committee, and internal communications, dated June 16, 2025.

Due to the broad nature of your requests, it is not clear what information you are requesting. Furthermore, you are requesting a large amount of information covering several years of records. Pursuant to section 552.222(b) of the Texas Government Code, we are requesting clarification of your request and a discussion regarding how the scope of request might be narrowed.

If your response to this request for clarification and discussion is not received by the 61st calendar day after this request is sent, your underlying public information request will be considered to have been withdrawn.

Sincerely,

[Signed]

Travis Ransom

Cass County Judge

## VI. Procedural Significance

- The first declaration was ignored, March 7, 2025
- The Emergency Petition to the 353rd District Court was also ignored.
- The stress test PIR was entirely unacknowledged, May 13, 2025 - Envelope 100775755.
- The current June 16 PIR, which *mirrors* the earlier requests, was met only with a demand for clarification - without addressing the underlying emergency, the known hazard, or the Judge’s prior inaction.

The letter sent by Judge Ransom on June 26 proves engagement with the Emergency Record by use of the Petitioner’s address - which only appears in the March 6 emergency declaration and the April 7 Emergency Petition. This confirms that Judge Ransom has been aware of the emergency *all along*, and is now formally in procedural default.

## VII. Additional Procedural Defaults by the Cass County Judge

The conduct of Judge Travis Ransom on June 26, 2025, constitutes multiple additional procedural defaults. Each failure adds to an established record of administrative negligence and ongoing procedural avoidance.

**A**. Failure to Follow the Stated Delivery Method

The Public Information Request (PIR) submitted on June 16, 2025, expressly instructed that all responsive communications be delivered via electronic correspondence. This directive was issued to ensure timely receipt, formal integration into the Emergency Record, and proper review by the 353rd District Court.

Judge Ransom disregarded this instruction. He instead issued his response exclusively by U.S. Mail. This choice violated the delivery method required in the PIR and disrupted the intended procedural chain of custody. Such a breach - by itself - is sufficient to cast doubt on the legal sufficiency and timeliness of the response under Chapter 552 of the Texas Government Code.

**B.** Omission of Any Reference to the Emergency Record

Although the June 16 PIR was:

- Filed directly into the Emergency Record of the 353rd District Court, and
- Expressly tied to active hazards and statutory responsibilities under state law,

Judge Ransom's response made no reference to the Emergency Record, the Emergency Petition, or the court proceedings already underway. No acknowledgment was given to the oversight authority of this Court or the declared emergency itself.

This omission is procedurally significant. It reflects a continued effort to isolate the PIR from its legal and procedural context, thereby obscuring the Judge's statutory responsibilities in relation to the emergency.

### C. Use of Petitioner's Physical Address Without Authorization

Petitioner's June 16 PIR did not contain or authorize the use of a mailing address. It explicitly required that:

- All responses be delivered electronically, and
- All records be filed into the Emergency Record for official review.

Despite this, Judge Ransom mailed his response to Petitioner's physical address - an address not included in the PIR. That address appears *only in two places*:

1. The original Emergency Declaration submitted to Cass County in early March 6 2025, and
2. The Emergency Petition filed with the 353rd District Court on April 7, 2025.

By using that address, Judge Ransom has now confirmed possession of - or access to - one or both Emergency Filings. This constitutes a procedural acknowledgment of the Emergency Record. It further undermines any claim that he was unaware of the emergency filings or their implications.

Accordingly, the mailing not only violates the PIR's express delivery method, but also confirms long-standing awareness of filings the Judge has previously failed to acknowledge or address.

## VIII. Judicial Vacuum

Petitioner submits that the record now reflects a coordinated absence of jurisdictional authority involving three distinct layers of governance: municipal, county, and district. This coordinated silence - executed by the City of Linden, the Cass County Judge, and the District 5 Judge - has created a procedural condition in which no lawful authority has acted to address a formally declared emergency. This condition constitutes a judicial vacuum.

This vacuum is not the result of misunderstanding, delay, or administrative backlog. It is the result of deliberate inaction and mutual reinforcement between officials across departments. When Petitioner lawfully declared a civil emergency - grounded in verifiable engineering evidence and posing an immediate risk to public safety - none of the responding entities issued acknowledgment, direction, or lawful intervention.

What has occurred is the creation of a closed procedural loop:

- The City defers to the County.
- The County defers to the District.
- The District defers to no one and remains silent.

This interlocking structure of silence has allowed all parties to operate without accountability to the Texas Constitution, to Texas emergency statutes, or to the public. The effect is the creation of an independent and unsanctioned judicial ecosystem - one in which no external authority has been recognized, no law has been obeyed, and no record has been honored.

By ignoring formal emergency declarations, refusing to acknowledge filings, and evading public information requests, these entities have functionally exited the bounds of the Texas Judiciary. They now operate as a self-referencing system that answers to no statutory authority and shields itself through mutual inaction.

This condition is unsustainable. It is incompatible with the rule of law and in direct violation of the Texas Constitution, the Texas Government Code, and the judicial ethics framework that binds all officers of the court. Judicial power cannot exist without judicial obligation. And jurisdiction cannot be claimed while its duties are actively refused.

Petitioner submits that the City of Linden, the Cass County Judge, and the District 5 Judge have - through coordinated silence and procedural avoidance - ceded lawful authority. They now exist outside the operational control of the Texas Judiciary and are no longer qualified to claim jurisdiction over emergency response, courthouse operations, or venue authority without immediate state-level intervention.

## IX. Systemic Statutory Violations Maintained Through Judicial Silence

Having withdrawn from procedural engagement and refused oversight obligations, the District 5 Judge now presides over a jurisdiction where core legal duties are not enforced. Through silence, the District 5 Judge has permitted state law to be suspended in practice. This inaction has allowed the erosion of mandatory protections for public safety, venue integrity, transparency, and judicial accountability.

The following statutory violations remain active and unresolved under the District 5 Judge's watch. Each carries enforceable duties, and each has been breached without response, remedy, or record. The District Judge's continued refusal to act serves as active maintenance of an unauthorized legal structure outside the laws of the State of Texas. The violations include:

Violation of Senate Bill 42. Under Senate Bill 42, Cass County is required to maintain a functioning Court Security Committee and implement a formal courthouse security plan. There is no evidence that any such body exists. There is no known security plan. The requirement that judicial officers coordinate with law enforcement to secure active courthouses appears to have been abandoned in its entirety.

Violation of Texas Government Code Chapter 418 Under Chapter 418, the Cass County Judge is required to respond to a declared emergency and initiate lawful mitigation. No such response has occurred. Failure to address a known threat to public infrastructure - especially one involving gas lines, foundation deterioration, and electrical hazard - constitutes a breach of duty and a direct statutory violation.

Violation of the Texas Public Information Act (Chapter 552) Petitioner submitted multiple Public Information Requests (PIRs), including a June 16 PIR explicitly filed into the Emergency Record and supported by prior correspondence. These requests were either ignored, deflected, or answered only in part. The Act prohibits delay without cause and forbids attempts to sidestep lawful delivery instructions. The Cass County Judge responded outside the required method, and earlier requests remain unaddressed.

Violation of Texas Local Government Code (Venue and County Seat Authority) Judicial proceedings must be held at the lawfully designated county seat. Any change in venue must be formalized, voted upon in public session, and recorded. There is no public record showing that the Cass County Justice Center was lawfully designated as the seat of judicial authority. Any proceedings held there without documentation are voidable.

Violation of the Texas Code of Judicial Conduct Judges are bound to uphold the independence and integrity of the judiciary, to avoid the appearance of impropriety, and to respond timely to matters of safety and law. The record reflects prolonged silence by the District 5 Judge and Cass County Judge in the face of two emergency filings and multiple PIRs. This is inconsistent with the minimum standard of judicial conduct required under Texas law.

Triggering of Federal Oversight This failure has now crossed into federal oversight territory. The Department of Justice (DOJ) and the Department of Housing and Urban Development (HUD) maintain jurisdiction over federally funded infrastructure, including hazard mitigation and courthouse restoration. Where emergency declarations intersect with federal grants, any concealment, omission, or procedural evasion invites formal audit, compliance review, or civil enforcement.

Further Violations of State Statutes

- *Texas Government Code §74.092*: District Judges must ensure timely disposition of judicial business and coordinate with county officials to prevent administrative delay. The District 5 Judge's silence now exceeded 120 days.
- *Texas Rules of Judicial Administration Rule 7*: Requires security plans to be on file with the Office of Court Administration. If no plan exists for either courthouse facility, this is an active violation.
- *Texas Health and Safety Code §121.003*: Requires immediate response to structural threats to public health. A deteriorating wall above a gas line meets this threshold and has not been mitigated.
- *Texas Local Government Code §81.003*: Requires commissioner decisions be entered into public minutes. No such minutes exist confirming lawful transfer of venue.
- *Texas Government Code §559*: Forbids suppression or misuse of public records. The failure to produce, respond to, or properly file PIRs related to public safety may constitute actionable misconduct.
- *Texas Constitution Article V, Sections 1 and 7*: Requires District Courts to sit in the designated county seat. Deviation without legal process nullifies venue and endangers judicial legitimacy.

This Court now presides over a judicial environment in which local actors are operating outside of constitutional and statutory bounds. If such behavior remains unchecked, it invites replication elsewhere. Petitioner urges this Court to recognize that the emergency record now establishes jurisdictional collapse - a vacuum of legal authority requiring immediate correction.

Submitted,

Cliff Stephens

Pro se

Linden Tx, 75563

July 4, 2025

# EXHIBIT A

**Letter from Cass County Judge Travis Ransom**
**Dated: June 26, 2025**
**Subject: Response to June 16, 2025 Public Information Request**

The following page contains a true and correct copy of the correspondence sent via U.S. Mail to Petitioner by Cass County Judge Travis Ransom, received June 26, 2025. This document is submitted as formal evidence of limited procedural engagement and acknowledgment of the Emergency Record.

R. TRAVIS RANSOM
Cass County Judge

P.O. Box 825
Linden, Texas 75563

June 26, 2025

Mr. Cliff Stephens
981 CR 1456
Linden, TX 75563

Dear Mr. Stephens:

We have received your public information request for records relating to the relocation of the court operations, the court security committee, and internal communications, dated June 16, 2025.

Due to the broad nature of your requests, it is not clear what information you are requesting. Furthermore, you are requesting a large amount of information covering several years of records. Pursuant to section 552.222(b) of the Texas Government Code, we are requesting clarification of your request and a discussion regarding how the scope of request might be narrowed.

If your response to this request for clarification and discussion is not received by the 61st calendar day after this request is sent, your underlying public information request will be considered to have been withdrawn.

Sincerely,

Travis Ransom
Cass County Judge
P.O Box 825
Linden, TX 75563
Phone: 903-756-5181
Fax: 903-756-5732

7/8/2025 8:00 AM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Selina Hamilton

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

Cliff Stephens

PETITIONER

V

TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

and CASS COUNTY

RESPONDENTS

353rd JUDICIAL DISTRICT

# FINAL STATEMENT ON SYSTEMIC FAILURE AND EMERGENCY NONCOMPLIANCE

**TO THE HONORABLE JUDGE OF SAID COURT:**

This final statement is submitted regarding the operational breakdown at the Cass County Courthouse, the dereliction of duty by the Cass County Judge and District 5 Judge, and the administrative failure of the municipal government of Linden, Texas.

## Section I - Statement of Record

A lawful emergency filing was submitted and entered into the record in accordance with applicable provisions of the Texas Government Code and related statutory requirements. As of the date of this filing, the emergency remains unacknowledged and unacted upon by all relevant authorities, including:

- The Cass County Judge;
- The District 5 Judge;
- The Regional Presiding Judge of the 10th Administrative Judicial Region; and
- The Office of Court Administration , Court Security Committee .

Each of these bodies is now in procedural default, having failed to respond within the statutory or customary time frame required for matters involving courthouse security, judicial venue, and emergency compliance.

Accordingly, no lawful authority within the State Judiciary has formally addressed, acknowledged, or acted upon the emergency now before the Court. The record remains silent.

## Section II - Threshold for Procedural Disqualification

Failure to act under a clear statutory duty structural abandonment of office. Silence in the face of an emergency filing, where law imposes a duty to acknowledge and act, operates as a *procedural default*.

The Texas Government Code, the Texas Constitution, and Senate Bill 42 each impose non-discretionary obligations upon public officials, including:

- The prompt acknowledgment of declared or filed public emergencies;
- The active protection of courthouse personnel and the general public; and
- The performance of mandatory duties within defined statutory timeframes.

At present, the record reflects no such action by any actor within the applicable judicial or administrative structure of the State of Texas. The emergency remains unanswered. The silence is absolute.

## Section III  -  On Feigned Ignorance and Disqualification

To the official reviewing this record:

Should any party now assert that they were unaware of the emergency filing - whether by claiming, "I didn't know," "My secretary didn't inform me," or "It was lost" - such assertions do not constitute a defense. They constitute grounds for disqualification. If they did not know then they do not meet the standards of Texas.

The State of Texas does not license unawareness in matters of emergency governance. It does not credential incompetence in the administration of courthouse security. And it does not *dignify* those who ignore statutory obligations and later seek to excuse their inaction through claims of confusion or clerical oversight.

To lack knowledge of a lawfully filed emergency is, in and of itself, evidence of unfitness to hold the position.

## Section IV - The Emergency Principle: Replace, Don't Repair

It's faster, more reliable, and less disruptive to *replace* a failed system outright than to pause operations, divert institutional focus, and attempt piecemeal correction under duress.

As a matter of logic:

> *Which is faster - replacing the AA batteries in a remote, or waiting to recharge them? In every context, replacement maintains continuity, preserves function, and prevents secondary collapse.*

Moreover, embedded within this doctrine lies another immutable truth:

> In any sound system, the cream must rise to the top.

When a system fails, two paths present themselves:

1. Attempt to repair and rehabilitate those who presided over its failure, or
2. Replace the system with fresh components - untethered to habit, untainted by inaction, and capable of fulfilling the standard the system was designed to uphold.

To pursue the first path is to obstruct the system's natural self-correcting function. It denies opportunity to those who are prepared to serve with integrity. It entraps the structure in its own failure.

To pursue the second path - replacement - is to fulfill the system's original purpose: to identify, elevate, and empower those capable of meeting the duty.

In this way, replacement is the completion of the system's own design and a natural display of its intended design

## Section V  - Coaching the Negligent is a Violation of System Integrity

The State of Texas cannot allocate time or institutional energy toward the rehabilitation of habitual negligence. Officials who accept public office under oath are expected to understand and fulfill their duties without delay, persuasion, or prompting.

To expend judicial resources attempting to encourage sworn officers to meet basic obligations undermines the very structure of lawful governance. A system that must repeatedly intervene to secure compliance from its own components has already forfeited its operational integrity.

The threshold for continued service must remain high. It is not the role of this Court or any oversight body to persuade negligent actors to perform what is already required by law. Where such performance is absent, correction must come through replacement, not through instruction.

A system comprised of unresponsive or indifferent actors cannot be patched into functionality. It must be structurally refreshed in order to preserve legitimacy, restore order, and protect the public.

This approach is not discretionary. It is the only lawful method of preserving the integrity of the system.

## Section VI  -  The Cost of Judicial Abandonment

When the District 5 Judge refused to return to his chambers and relocated proceedings to the so-called “Justice Center,” the town of Linden began to die.

- A beloved restaurant, open for over 50 years, shuttered.
- Downtown emptied.
- Livelihoods vanished  -  over 100 jobs lost.

This is no exaggeration. It is the reason for Petitioner’s intensity. Over the span of the Judge’s refusal to return, Petitioner has witnessed the failure of no fewer than ten local businesses. The cultural and economic core of Linden has been hollowed out. It is too late to go back.

Ask any resident of Linden whether the Judge should return to the courthouse, and the answer is unequivocal: Yes. Of the 1,200 people in Linden, 1,198 want the Judge to return. The only holdout is the District 5 Judge himself  -  out of convenience. The Cass County Judge, in failing to object to this offsite operation, has shown such a level of incompetence that he does not appear to grasp the systemic risks it imposes.

It is one matter to abandon the courthouse and drain a town of its civic and economic lifeblood. It is another matter entirely to leave that building unguarded, with the Clerk and her staff exposed to risk. The records of this county  -  its legal history, its property rolls, its vital infrastructure  -  remain unsecured. The Clerk has formally requested security. She has been ignored.

This alone disqualifies those responsible from any position of leadership that requires integrity or duty. They have failed so completely that they cannot conceive of the need to protect their own people.

If the county records were to be damaged or lost, there would be no way for Petitioner to correct the institutional negligence now on full display. Such damage would irreparably benefit Respondents - the very parties whose silence and inaction have endangered the system.

This is the cost of judicial abandonment. This is what happens when civic gravity is removed by those sworn to carry it.

## Section VII - The Cathedral

To conduct court within the courthouse is a judicial honor.

To plead with a sitting judge to return to this cathedral of Texas justice is an insult - to the bench, to the building, and to the people it has served since 1861.

Across the State of Texas, there are judges of competence, humility, and readiness - jurists who would approach this seat with reverence, not resistance. Such a judge would be welcomed as a hero, becoming the civic focal point of a community eager to rise again.

To appoint anew would ignite that resurgence. A foundation for something great remains - but it must be built around one capable of occupying the chair.

## Section VIII - Legal Doctrine Justifying System Replacement

### 1. Doctrine of Administrative Necessity

Where no lawful actor within a system remains functional, jurisdiction must elevate to an external authority. This is procedural law.

When statutory obligations go unmet and internal correction fails, administrative necessity demands referral upward, including but not limited to:

- The Office of the Attorney General
- Federal oversight, if civil rights or federally funded programs are implicated
- A court of competent jurisdiction exercising emergency authority

This elevation is structural. Once the system defaults, external jurisdiction must intervene to restore lawful operation.

## Section IX -  Referral for Oversight

The Court is respectfully requested to:

- Refer this matter to the Office of the Attorney General;
- Or, in the alternative, initiate oversight referral to a federal authority should federal funds, due process rights, or public safety statutes be implicated.

*To return* jurisdiction to a body in procedural default is to reward silence and sanction the abandonment of duty. This Court holds the authority  -  and now the obligation  -  to elevate the matter where lawful function may still be exercised.

## Section X - Duty to the Integrity of the System

This oversight body holds a solemn duty to uphold the integrity of the system as a whole. No individual within the body outweighs the importance of the body itself. Personal preference, career aspiration, or habitual practice cannot obstruct this duty.

The procedures and processes that grant this system its harmony exist for one reason: to preserve lawful function through disciplined, apolitical execution of responsibility. When the system is compromised, the mandate is clear - replace the failed components and allow the natural corrective process to occur.

The duty to replace is not creative. It is custodial.
It ensures that only those who meet the standard remain.
This body is obligated to uphold that standard - and let the cream rise.

Wherever this body bears witness to any individual whose conduct places the integrity of the system at risk, it is duty-bound to act. The obligation to replace such an individual is not rooted in personal preference or discretion - it is a structural requirement.

Oversight must be exercised without hesitation, remorse, or delay.
To preserve the whole, the compromised part must be removed.
This is not personal. It is procedural.
It is the duty owed to the system itself.

## **Section *XI* - Closing Statement**

The truth is not that these actors are broken or malicious - they were never structurally intact. Their failure is not a surprise - it is a measurable result of not meeting the high standards Texas requires.

Reprimand is not a remedy.
Negligence cannot be coached.
Incompetence cannot be negotiated.

This is not a matter of emotion or argument. It is a procedural necessity. Once actors fall below the threshold of lawful service, the only lawful course is replacement. Petitioner reserves the right to supplement this record should further noncompliance or evidentiary failures arise.

Respectfully Submitted,
Cliff Stephens
Pro Se
Linden Tx, 75563
July 4, 2025

FILE COPY

Filed in the District Court
Of Travis County, Texas
At JULY 25, 2025 @ 6:02 PM
Velva L. Price, District Clerk

**COURT OF APPEALS**
**FOR THE**
**THIRD DISTRICT OF TEXAS**
P.O. BOX 12547, AUSTIN, TEXAS 78711-2547
(512) 463-1733

Date: July 25, 2025

Appeal No.: 03-25-00499-CV
Trial Court No.: D-1-GN-25-002397

Style: In re Cliff Stephens

---

The enclosed opinion was sent this date to the following persons:

William (Bill) W. Miller Jr.
Judge, 5th District Court
604 State Hwy 8
Linden, TX 75565

Mr. Nathan Carroll
Texas Division of Emergency Management
2809 S. John Redditt
Lufkin, TX 75904
* DELIVERED VIA E-MAIL *

The Honorable Velva L. Price
Civil District Clerk
Travis County Courthouse
P. O. Box 1748
Austin, TX 78767
* DELIVERED VIA E-MAIL *

The Honorable Dib Waldrip
Administrative Judge
150 N. Seguin Street, Suite 3114
New Braunfels, TX 78130
* DELIVERED VIA E-MAIL *

Ms. Amanda Davis
Brown & Hofmeister, LLP
740 E. Campbell Road, Suite 800
Richardson, TX 75081
* DELIVERED VIA E-MAIL *

Mr. Cliff Stephens
981 CR 1456
Linden, TX 75563
* DELIVERED VIA E-MAIL *

# TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

## NO. 03-25-00499-CV

## In re Cliff Stephens

## ORIGINAL PROCEEDING FROM TRAVIS COUNTY

## MEMORANDUM OPINION

Relator Cliff Stephens has filed a pro se petition for writ of mandamus. Having reviewed the petition, we dismiss the petition for writ of mandamus for want of jurisdiction. *See* Tex. R. App. P. 52.8(a).

Relator has listed as respondents the Texas Department of Emergency Management and Cass County. This Court's mandamus jurisdiction is expressly limited by statute to: (1) writs against a district court judge or county court judge in this Court's district, and (2) all writs necessary to enforce our jurisdiction. *See* Tex. Gov't Code § 22.221. As to the former, the Third Court of Appeals has jurisdiction of appeals from the trial courts located in Bastrop, Bell, Blanco, Burnet, Caldwell, Coke, Comal, Concho, Fayette, Hays, Irion, Lampasas, Lee, Llano, McCulloch, Milam, Mills, Runnels, San Saba, Schleicher, Sterling, Tom Green, Travis, and Williamson counties. *See id.* § 22.201(d). This is an original proceeding from Cass County. *See id.* § 22.221. Thus, even if that Relator's petition were directed to a district court, we have no jurisdiction to issue a writ of mandamus against a district court judge outside this Court's district. *See id.* As to the latter, Relator has not demonstrated that the exercise of our writ power is necessary to enforce

our jurisdiction in this case. Therefore, Relator has not established that we have jurisdiction to issue the writ he seeks.

The petition for writ of mandamus is dismissed for want of jurisdiction. *See* Tex. R. App. P. 52.8(a).

Rosa Lopez Theofanis, Justice

Before Justices Triana, Kelly, and Theofanis

Filed: July 25, 2025

7/25/2025 8:33 PM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Ana Lopez

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

Cliff Stephens

PETITIONER

v.

TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

and CASS COUNTY

RESPONDENTS

353rd JUDICIAL DISTRICT

# FINAL NOTICE OF STATE JURISDICTIONAL FAILURE AND PRESERVATION FOR FEDERAL REVIEW

TO THE HONORABLE JUDGE OF SAID COURT

Petitioner files this as final record preservation. The Texas Division of Emergency Management remains unaddressed. Jurisdiction remains within this Court. Absent relief, state process stands exhausted. Federal review follows under constitutional and statutory authority.

The omission was no oversight. The appellate court named both Respondents. It ruled against one and abandoned the other. That silence speaks. The record holds it. Petitioner preserves the failure and proceeds accordingly. The appellate court’s partial ruling is obvious, unprofessional, and expected.

Petitioner notes that no directive was requested from the Third Court of Appeals regarding TDEM. The court was not asked to compel action , only to recognize the agency as a Respondent subject to review. Its complete omission of TDEM cannot be dismissed as judicial restraint. It functions as a silent dismissal of a state entity named in the record. That silence now transfers intact for federal review.

Submitted,

Cliff Stephens

Linden, Tx 75563

July 25, 2025

Appendix A: Third Court of Appeals Ruling (July 25, 2025)

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-25-00499-CV

In re Cliff Stephens

ORIGINAL PROCEEDING FROM TRAVIS COUNTY

MEMORANDUM OPINION

Relator Cliff Stephens has filed a pro se petition for writ of mandamus. Having reviewed the petition, we dismiss the petition for writ of mandamus for want of jurisdiction. See Tex. R. App. P. 52.8(a).

Relator has listed as respondents the Texas Department of Emergency Management and Cass County. This Court's mandamus jurisdiction is expressly limited by statute to: (1) writs against a district court judge or county court judge in this Court's district, and (2) all writs necessary to enforce our jurisdiction. See Tex. Gov't Code § 22.221. As to the former, the Third Court of Appeals has jurisdiction of appeals from the trial courts located in Bastrop, Bell, Blanco, Burnet, Caldwell, Coke, Comal, Concho, Fayette, Hays, Irion, Lampasas, Lee, Llano, McCulloch, Milam, Mills, Runnels, San Saba, Schleicher, Sterling, Tom Green, Travis, and Williamson counties. See id. § 22.201(d). This is an original proceeding from Cass County. See id. § 22.221. Thus, even if that Relator's petition were directed to a district court, we have no jurisdiction to issue a writ of mandamus against a district court judge outside this Court's district. See id. As to the latter, Relator has not demonstrated that the exercise of our writ power is necessary to enforce

our jurisdiction in this case. Therefore, Relator has not established that we have jurisdiction to issue the writ he seeks.

The petition for writ of mandamus is dismissed for want of jurisdiction. See Tex. R. App. P. 52.8(a).

__________________________________________

Rosa Lopez Theofanis, Justice

Before Justices Triana, Kelly, and Theofanis

Filed: July 25, 2025

7/1/2025 10:40 PM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Candy Schmidt

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

Cliff Stephens

PETITIONER

V

TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

and CASS COUNTY

RESPONDENTS

353rd JUDICIAL DISTRICT

# Supplemental Motion for Emergency Referral, Procedural Clarification, and Immediate Relief Authorization

## TO THE HONORABLE JUDGE OF SAID COURT

### I. Summary of Events

On July 1, 2025, attorney Amanda Davis issued a written statement declaring:

> "I, nor the firm, represent the City in the matter you reference below."

This disclaimer was issued after Ms. Davis had already responded to a Public Information Request tied directly to the Emergency Record now before this Court.

Later that same day, under her name and firm letterhead, a formal 10-Day Letter was submitted to the Texas Attorney General, invoking all statutory exemptions under Texas Government Code §§ 552.101–552.160 in an attempt to withhold responsive documents related to federal disaster funding, public infrastructure risk, and emergency compliance.

This sequence of events constitutes:

- Confirmation that responsive records exist;
- Admission of participation in a live judicial emergency proceeding;
- And an active attempt to obstruct access to records material to this Court's review of a declared, unresolved hazard.

Petitioner asserts that such conduct represents a pattern of procedural evasion, legal instability, and institutional concealment under active emergency - now escalated to the level of executive oversight.

## II. Legal and Procedural Risk

The conduct described above presents a direct risk to both judicial efficiency and emergency governance. Specifically:

- It undermines judicial transparency by presenting contradictory legal positions concerning participation and responsibility;
- It delays emergency response efforts related to a known and unresolved public hazard under state-recognized emergency designation;
- It erodes the procedural integrity of the Emergency Record by introducing instability in representation and accountability;
- And it exemplifies what administrative and emergency law recognize as a breakdown in the chain-of-responsibility during an active hazard - a condition in which governmental actors or their agents refuse to maintain consistent roles, evade assigned duties, or introduce procedural confusion during time-sensitive emergencies.

Such behavior actively threatens the ability of this Court and relevant oversight bodies to ensure lawful response to an acknowledged risk affecting both infrastructure and public safety.

## III. Institutional Pattern and Grounds for Caution

Petitioner respectfully notes that the City of Linden and its leadership are part of the same institutional body that, from the outset, chose obfuscation over resolution. Rather than address the public hazard directly, the City delayed, withheld, and denied - all while the underlying emergency worsened.

Now, instead of correcting course, the City has retained outside counsel whose first act was to issue a false disclaimer of representation to this Court. That counsel, Amanda Davis, is now fully involved, having filed a formal 10-Day Letter with the Texas Attorney General concerning the very matter she claimed her firm was uninvolved in.

Petitioner continues to be denied the opportunity to secure relief or resolve his property risk. The refusal to grant even verbal permission - which could have lawfully ended this emergency - reveals a pattern of procedural evasion and calculated delay. Petitioner has reason to fear the conduct of these actors, as their actions to date have consistently undermined the public record, judicial trust, and the path to lawful resolution.

The Court should conclude that the current legal representatives engaged by the City do not meet the threshold of *integrity* necessary to facilitate emergency relief. Petitioner’s caution is the result of repeated, observable misconduct. The record now speaks for itself.

## IV. Standing to Escalate

Petitioner affirms that contact with the Office of the Attorney General originated not from his filings, but from the City's legal representative, who submitted a 10-Day Letter invoking broad exemptions under the Texas Public Information Act. This action followed a Public Information Request already entered into the Emergency Record.

Through that filing, the City of Linden brought the Attorney General's Office into procedural proximity with this case. A separate branch of state oversight now shares jurisdictional awareness of a hazard under judicial review.

Petitioner acknowledges that alignment. The City's counsel disclaimed representation in the morning, then asserted control by evening. Legal status changed. The proper response is forward motion.

What began as a legal shield now forms a procedural pathway. The City opened the door to executive oversight. Petitioner respectfully requests that the Court proceed accordingly and affirm that coordination is underway.

This is movement through the record, not escalation. Oversight has been invoked by the opposing party. The emergency persists. Petitioner's position remains: the hazard is known, permission to address it remains ungranted, and the risk continues to grow. Coordination now serves both urgency and law.

## IV. Relief Requested

Petitioner respectfully asks that this Court:

1. Acknowledge that participation and contradiction by the City's legal counsel have occurred;
2. Recognize that the documents now before the AG relate directly to this Court's Emergency Record and unresolved hazard;
3. Refer Cause No. D-1-GN-25-002397 and associated filings to the Attorney General's Public Integrity Unit, with notice of the contradiction, the emergency condition, and ongoing efforts to obstruct resolution;
4. Affirm that judicial and executive oversight are now mutually engaged - and that Petitioner's record stands on process, not preference.

## V. Supplemental Prayer for Emergency Relief

Petitioner respectfully requests that this Court issue an immediate judicial acknowledgment of the structural hazard documented in the engineering reports entered into the Emergency Record, and grant limited authority to access the adjacent State-owned property to remove the compromised wall segment posing imminent danger.

The record reflects a coordinated pattern of inaction. The City of Linden, Cass County, and officers of the Fifth Judicial District have deferred to one another, creating a procedural standstill. As a result, Petitioner remains unable to lawfully address an advancing threat that now endangers life and infrastructure.

The wall continues to deteriorate. It leans toward an active gas line beneath a live electrical panel. The hazard is known. No action has been taken.

Petitioner submits that the risk is immediate, notice has been given, and this Court stands as the only authority in position to authorize lawful mitigation. Delay increases both physical danger and institutional liability.

## VI. Conclusion

The City’s recent engagement of legal counsel has further destabilized the record. Contradictory statements and evasive conduct by Brown & Hofmeister, L.L.P. and Amanda Davis suggest a posture of delay rather than resolution.

This conduct  -  legal and governmental  -  now amplifies the original risk. Petitioner asserts that such indifference rises beyond neglect and signals institutional malice. The Emergency Record shows intent to obstruct, not resolve.

Cliff Stephens

Pro se

Linden Tx, 75563

July 1, 2025

**EXHIBIT A**

## Letter from Amanda Davis to Texas Attorney General

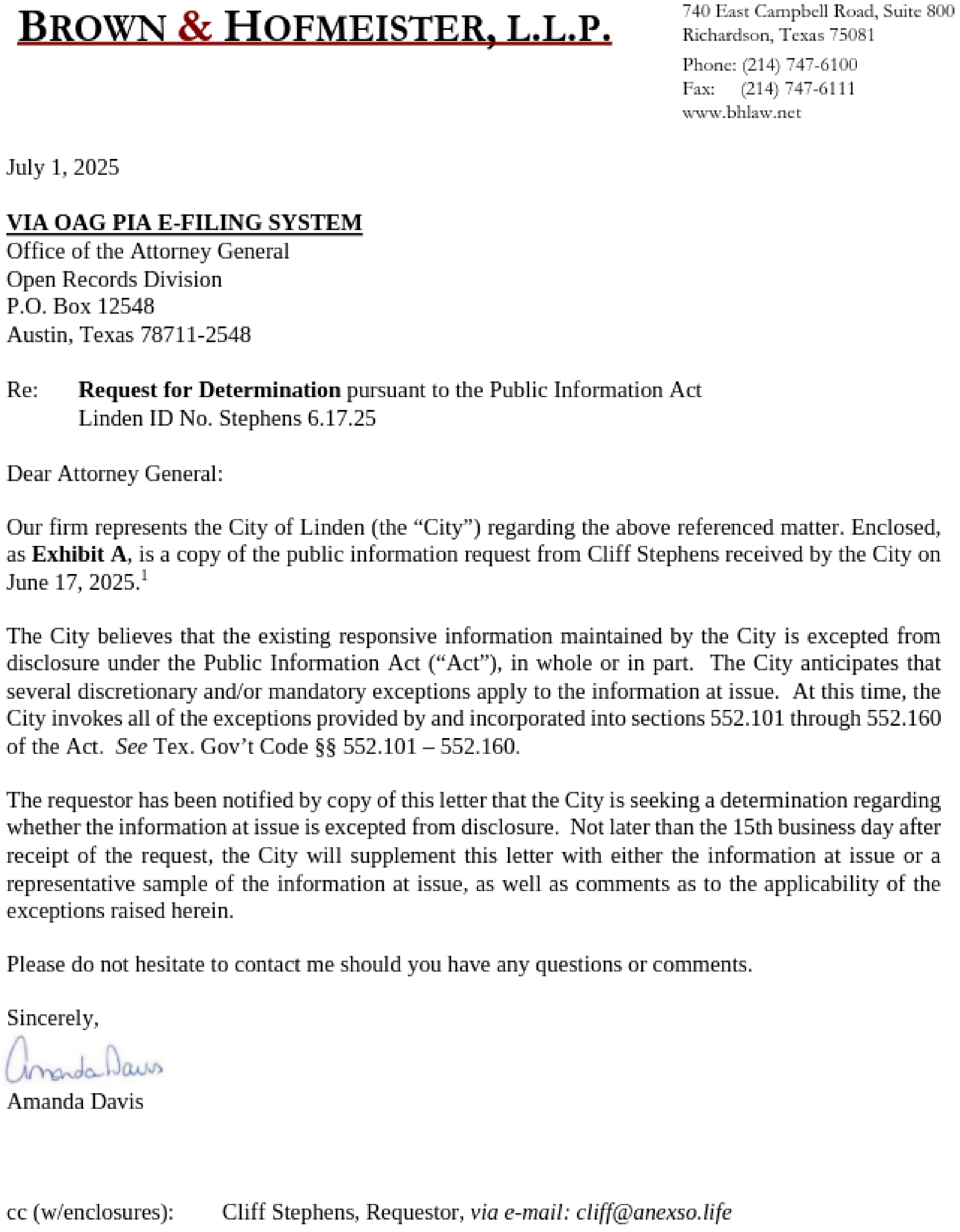
**Dated: July 1, 2025**

**Subject: 10-Day Determination Letter Regarding Public Information Request (Stephens ORR 06.17.25)**

This exhibit contains the formal correspondence from attorney Amanda Davis of Brown & Hofmeister, L.L.P., on behalf of the City of Linden, invoking exemptions under Texas Government Code §§ 552.101–552.160 and transmitting the request to the Office of the Attorney General. The letter constitutes legal participation in the Emergency Record and confirms the existence of responsive documents tied to federal oversight and emergency compliance.

*A true and correct copy of the letter is attached below.*

**EXHIBIT A : Screenshot**



**BROWN & HOFMEISTER, L.L.P.**

740 East Campbell Road, Suite 800
Richardson, Texas 75081
Phone: (214) 747-6100
Fax: (214) 747-6111
www.bhlaw.net

July 1, 2025

**VIA OAG PIA E-FILING SYSTEM**
Office of the Attorney General
Open Records Division
P.O. Box 12548
Austin, Texas 78711-2548

Re: **Request for Determination** pursuant to the Public Information Act
Linden ID No. Stephens 6.17.25

Dear Attorney General:

Our firm represents the City of Linden (the "City") regarding the above referenced matter. Enclosed, as **Exhibit A**, is a copy of the public information request from Cliff Stephens received by the City on June 17, 2025.[1]

The City believes that the existing responsive information maintained by the City is excepted from disclosure under the Public Information Act ("Act"), in whole or in part. The City anticipates that several discretionary and/or mandatory exceptions apply to the information at issue. At this time, the City invokes all of the exceptions provided by and incorporated into sections 552.101 through 552.160 of the Act. *See* Tex. Gov't Code §§ 552.101 – 552.160.

The requestor has been notified by copy of this letter that the City is seeking a determination regarding whether the information at issue is excepted from disclosure. Not later than the 15th business day after receipt of the request, the City will supplement this letter with either the information at issue or a representative sample of the information at issue, as well as comments as to the applicability of the exceptions raised herein.

Please do not hesitate to contact me should you have any questions or comments.

Sincerely,

Amanda Davis

Amanda Davis

cc (w/enclosures): Cliff Stephens, Requestor, *via e-mail: cliff@anexso.life*

**EXHIBIT A : Transcript**

July 1, 2025

VIA OAG PIA E-FILING SYSTEM

Office of the Attorney General

Open Records Division

P.O. Box 12548

Austin, Texas 78711-2548

Re: Request for Determination pursuant to the Public Information Act

Linden ID No. Stephens 6.17.25

Dear Attorney General:

Our firm represents the City of Linden (the “City”) regarding the above referenced matter. Enclosed, as Exhibit A, is a copy of the public information request from Cliff Stephens received by the City on June 17, 2025.[1]

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Please do not hesitate to contact me should you have any questions or comments.

Sincerely,

Amanda Davis

7/8/2025 8:00 AM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Selina Hamilton

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

Cliff Stephens

PETITIONER

V

TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

and CASS COUNTY

RESPONDENTS

353rd JUDICIAL DISTRICT

# SUPPLEMENTAL FILING:

## *Cass County Judge's Response, Procedural Default, and Resulting Judicial Vacuum*

## TO THE HONORABLE JUDGE OF SAID COURT

Petitioner respectfully submits this filing as a supplemental record establishing procedural default by the Cass County Judge, administrative disengagement by the District 5 Judge, and the resulting creation of a judicial vacuum now operating outside the statutory control of the Texas judiciary.

## I. MARCH 6, 2025 – INITIAL DECLARATION OF EMERGENCY

On March 6, 2025, Petitioner submitted a formal Declaration of Emergency following receipt of an engineering report identifying an imminent structural failure involving an active gas line and electrical hazard located within the City of Linden. This hazard poses a risk to public safety and required immediate mitigation. Petitioner formally requested emergency authorization to proceed with hazard abatement.

Said request was directed to the Cass County Judge, Travis Ransom, as the official authorized under state law to issue such emergency relief within the county. To date, the Cass County Judge has issued no response, acknowledgment, or communication of any kind regarding this emergency declaration. No directive, action, or instruction has been received. The absence of response constitutes procedural failure under Texas emergency law.

## II. APRIL 7, 2025 – FILING WITH THE 353RD DISTRICT COURT

On April 7, 2025, Petitioner submitted a formal Emergency Petition to the 353rd District Court sitting in Travis County. A physical copy of the Petition was delivered directly to the office of the Cass County Judge, the Honorable Travis Ransom.

Said Petition contained a full procedural history of the declared emergency, including the engineering analysis, the absence of official response, and the risk to public safety.

No response, acknowledgment, or communication has been received from the Cass County Judge in connection with this filing. The continued absence of response constitutes a secondary failure of procedural duty.

## III. MAY 13, 2025 PUBLIC INFORMATION REQUEST – PROCEDURAL STRESS TEST AND RESULTING FAILURE

On May 13, 2025, Petitioner submitted a Public Information Request (PIR) to the Cass County Judge, Travis Ransom, titled *Memorandum Regarding Public Information Request and Judicial Review*, formally entered into the Emergency Record under Envelope 100775755.

This PIR requested the following:

> "Any documentation associated with the Cass County Court Security Committee, including but not limited to:
> – Meeting minutes
> Violation of Senate Bill 42 Under Senate Bill 42– Membership rosters or governing body designations"

This request was *narrowly* tailored and simple in nature. It sought readily obtainable, publicly available documentation concerning the statutory obligation under Senate Bill 42 to maintain an active Court Security Committee. The language used left no ambiguity.

Petitioner now reminds the Court that this filing was also submitted as a procedural stress test - deliberately designed to assess whether the Cass County Judge or his office would engage in basic statutory compliance when presented with a low-burden opportunity to do so.

No response was ever issued.

This procedural test - which included language and structure intended to make compliance as easy as possible - remains unmet and unanswered.

Petitioner then filed a follow-up motion, *Supplemental Filing Regarding Public Information Request and Procedural Failures*, entered into the record under Envelope 101531263, on June 3, 2025.

The following excerpt from that filing reflects the result of the test:

> Results of Procedural Stress Test: ADA Compliance Request
>
> "As part of a procedural stress test, Petitioner submitted a targeted information request regarding ADA compliance at the Cass County Courthouse. This request asked for any documentation, audits, or correspondence from 2017 to the present related to accessibility or structural justification for moving county operations.
>
> This was not a complex question. Petitioner deliberately chose a request with a known and publicly verifiable answer: the Cass County Courthouse was rededicated in 2012 and certified fully compliant with ADA standards, as listed on the Texas Historical Commission's public record.
>
> If officials had any interest in transparency, cooperation, or procedural engagement, they could have responded simply by confirming the known fact: the courthouse is compliant.
>
> They did not.
>
> Their failure to provide even this most basic acknowledgment when the answer is not in dispute and the data is readily available demonstrates institutional disengagement.
>
> The test was simple. They failed."

The record now reflects that Cass County officials were offered multiple opportunities to engage in minimal procedural cooperation. Their failure to respond to these targeted and transparent requests establishes a pattern of neglect that directly supports the continuing Emergency Record before this Court.

## IV. CONTEXT OF THE JUNE 16 PUBLIC INFORMATION REQUEST AND PROCEDURAL FAILURE TO INITIATE COMPLIANCE

On June 16, 2025, Petitioner submitted a Public Information Request (PIR) formally entered into the Emergency Record of the 353rd District Court under Envelope 102042858, titled *Record Summary, Public Information Request, and Request for Preservation of Emergency Record for State and Federal Review*.

This PIR was directed to both the Cass County Judge and the District 5 Judge in their administrative capacities. It sought public records regarding:

- The relocation of court venue from the Cass County Courthouse to the Cass County Justice Center;
- The existence and activity of the Cass County Court Security Committee;
- Internal communications regarding unresolved structural hazards, including the hazard declared in Petitioner's earlier emergency filings.

This PIR was grounded in administrative obligations under Senate Bill 42 and Texas Government Code Chapter 552, and it was accompanied by the following notice:

> VIII. Notice to the Cass County Commission and District 5 Judge
> "You are hereby given 10 business days to begin complying with this Public Information Request.
> Deadline: June 26, 2025.
> Failure to respond or produce lawful records confirming the transfer of court venue to the Cass County Justice Center will be treated as procedural abandonment of venue authority.
> If the Justice Center has been used merely out of convenience - without a formal vote, resolution, or public record - then continued use of that facility for judicial proceedings may constitute grounds for removal, disqualification, or legal challenge under both state and federal law."

Petitioner draws the Court’s attention to the phrase: "You are hereby given 10 business days *to begin* complying...". This language constitutes another procedural stress test.

Specifically, the test evaluated whether the Cass County Judge or the District 5 Judge would begin any process of responding to the PIR, whether partial, preliminary, or complete. The operative phrase “to begin” may also be interpreted as “to initiate,” “to start,” or “to take first steps.”

The purpose of this test was not to demand full compliance within 10 business days, but rather to assess whether either official would acknowledge the request and initiate the production of *any* responsive documents, including those already known to exist and not subject to dispute or exemption.

Neither the Cass County Judge nor the District 5 Judge initiated compliance.

Despite the availability of numerous non-sensitive, easily retrievable documents - including public meeting minutes, formal venue designations, or correspondence acknowledging the venue change - no material was produced or offered by the deadline.

## V. Delivery of Response by Mail on June 26, 2025

On June 26, 2025 - the final day of the prescribed compliance window - Judge Travis Ransom issued a written response, but not in regard to courthouse venue, the Court Security Committee, or the active emergency filings now under judicial review.

Instead, Judge Ransom responded solely to request clarification of the June 16, 2025 Public Information Request (PIR), offering no substantive engagement with the emergency record, the declared hazard, or the lawfully submitted documentation already filed in this matter.

This letter was sent via U.S. Mail and delivered to Petitioner's physical address.

The Court must note that this marks the first and only communication Petitioner has received from Judge Ransom in over 120 days, despite the existence of two pending emergency declarations filed across two judicial districts. Rather than respond to the filings that triggered this record - and which remain unresolved - Judge Ransom elected to issue a procedural delay, without acknowledging the emergency, its subject matter, or the governing obligations of his office.

Petitioner now submits this letter - a one-page correspondence from Judge Ransom - as formal evidence of engagement limited solely to a procedural deflection. The contents of the letter are reproduced here in full:

R. TRAVIS RANSOM
Cass County Judge
P.O. Box 825
Linden, Texas 75563

June 26, 2025

Mr. Cliff Stephens
981 CR 1456
Linden, TX 75563

Dear Mr. Stephens:

We have received your public information request for records relating to the relocation of the court operations, the court security committee, and internal communications, dated June 16, 2025.

Due to the broad nature of your requests, it is not clear what information you are requesting. Furthermore, you are requesting a large amount of information covering several years of records. Pursuant to section 552.222(b) of the Texas Government Code, we are requesting clarification of your request and a discussion regarding how the scope of request might be narrowed.

If your response to this request for clarification and discussion is not received by the 61st calendar day after this request is sent, your underlying public information request will be considered to have been withdrawn.

Sincerely,

[Signed]

Travis Ransom

Cass County Judge

## VI. Procedural Significance

- The first declaration was ignored, March 7, 2025
- The Emergency Petition to the 353rd District Court was also ignored.
- The stress test PIR was entirely unacknowledged, May 13, 2025 - Envelope 100775755.
- The current June 16 PIR, which *mirrors* the earlier requests, was met only with a demand for clarification - without addressing the underlying emergency, the known hazard, or the Judge's prior inaction.

The letter sent by Judge Ransom on June 26 proves engagement with the Emergency Record by use of the Petitioner's address - which only appears in the March 6 emergency declaration and the April 7 Emergency Petition. This confirms that Judge Ransom has been aware of the emergency *all along*, and is now formally in procedural default.

## VII. Additional Procedural Defaults by the Cass County Judge

The conduct of Judge Travis Ransom on June 26, 2025, constitutes multiple additional procedural defaults. Each failure adds to an established record of administrative negligence and ongoing procedural avoidance.

**A**. Failure to Follow the Stated Delivery Method

The Public Information Request (PIR) submitted on June 16, 2025, expressly instructed that all responsive communications be delivered via electronic correspondence. This directive was issued to ensure timely receipt, formal integration into the Emergency Record, and proper review by the 353rd District Court.

Judge Ransom disregarded this instruction. He instead issued his response exclusively by U.S. Mail. This choice violated the delivery method required in the PIR and disrupted the intended procedural chain of custody. Such a breach - by itself - is sufficient to cast doubt on the legal sufficiency and timeliness of the response under Chapter 552 of the Texas Government Code.

**B.** Omission of Any Reference to the Emergency Record

Although the June 16 PIR was:

- Filed directly into the Emergency Record of the 353rd District Court, and
- Expressly tied to active hazards and statutory responsibilities under state law,

Judge Ransom’s response made no reference to the Emergency Record, the Emergency Petition, or the court proceedings already underway. No acknowledgment was given to the oversight authority of this Court or the declared emergency itself.

This omission is procedurally significant. It reflects a continued effort to isolate the PIR from its legal and procedural context, thereby obscuring the Judge's statutory responsibilities in relation to the emergency.

**C. Use of Petitioner's Physical Address Without Authorization**

Petitioner's June 16 PIR did not contain or authorize the use of a mailing address. It explicitly required that:

- All responses be delivered electronically, and
- All records be filed into the Emergency Record for official review.

Despite this, Judge Ransom mailed his response to Petitioner's physical address - an address not included in the PIR. That address appears *only in two places*:

1. The original Emergency Declaration submitted to Cass County in early March 6 2025, and
2. The Emergency Petition filed with the 353rd District Court on April 7, 2025.

By using that address, Judge Ransom has now confirmed possession of - or access to - one or both Emergency Filings. This constitutes a procedural acknowledgment of the Emergency Record. It further undermines any claim that he was unaware of the emergency filings or their implications.

Accordingly, the mailing not only violates the PIR's express delivery method, but also confirms long-standing awareness of filings the Judge has previously failed to acknowledge or address.

## VIII. Judicial Vacuum

Petitioner submits that the record now reflects a coordinated absence of jurisdictional authority involving three distinct layers of governance: municipal, county, and district. This coordinated silence - executed by the City of Linden, the Cass County Judge, and the District 5 Judge - has created a procedural condition in which no lawful authority has acted to address a formally declared emergency. This condition constitutes a judicial vacuum.

This vacuum is not the result of misunderstanding, delay, or administrative backlog. It is the result of deliberate inaction and mutual reinforcement between officials across departments. When Petitioner lawfully declared a civil emergency - grounded in verifiable engineering evidence and posing an immediate risk to public safety - none of the responding entities issued acknowledgment, direction, or lawful intervention.

What has occurred is the creation of a closed procedural loop:

- The City defers to the County.
- The County defers to the District.
- The District defers to no one and remains silent.

This interlocking structure of silence has allowed all parties to operate without accountability to the Texas Constitution, to Texas emergency statutes, or to the public. The effect is the creation of an independent and unsanctioned judicial ecosystem - one in which no external authority has been recognized, no law has been obeyed, and no record has been honored.

By ignoring formal emergency declarations, refusing to acknowledge filings, and evading public information requests, these entities have functionally exited the bounds of the Texas Judiciary. They now operate as a self-referencing system that answers to no statutory authority and shields itself through mutual inaction.

This condition is unsustainable. It is incompatible with the rule of law and in direct violation of the Texas Constitution, the Texas Government Code, and the judicial ethics framework that binds all officers of the court. Judicial power cannot exist without judicial obligation. And jurisdiction cannot be claimed while its duties are actively refused.

Petitioner submits that the City of Linden, the Cass County Judge, and the District 5 Judge have - through coordinated silence and procedural avoidance - ceded lawful authority. They now exist outside the operational control of the Texas Judiciary and are no longer qualified to claim jurisdiction over emergency response, courthouse operations, or venue authority without immediate state-level intervention.

## IX. Systemic Statutory Violations Maintained Through Judicial Silence

Having withdrawn from procedural engagement and refused oversight obligations, the District 5 Judge now presides over a jurisdiction where core legal duties are not enforced. Through silence, the District 5 Judge has permitted state law to be suspended in practice. This inaction has allowed the erosion of mandatory protections for public safety, venue integrity, transparency, and judicial accountability.

The following statutory violations remain active and unresolved under the District 5 Judge's watch. Each carries enforceable duties, and each has been breached without response, remedy, or record. The District Judge's continued refusal to act serves as active maintenance of an unauthorized legal structure outside the laws of the State of Texas. The violations include:

Violation of Senate Bill 42. Under Senate Bill 42, Cass County is required to maintain a functioning Court Security Committee and implement a formal courthouse security plan. There is no evidence that any such body exists. There is no known security plan. The requirement that judicial officers coordinate with law enforcement to secure active courthouses appears to have been abandoned in its entirety.

Violation of Texas Government Code Chapter 418 Under Chapter 418, the Cass County Judge is required to respond to a declared emergency and initiate lawful mitigation. No such response has occurred. Failure to address a known threat to public infrastructure - especially one involving gas lines, foundation deterioration, and electrical hazard - constitutes a breach of duty and a direct statutory violation.

Violation of the Texas Public Information Act (Chapter 552) Petitioner submitted multiple Public Information Requests (PIRs), including a June 16 PIR explicitly filed into the Emergency Record and supported by prior correspondence. These requests were either ignored, deflected, or answered only in part. The Act prohibits delay without cause and forbids attempts to sidestep lawful delivery instructions. The Cass County Judge responded outside the required method, and earlier requests remain unaddressed.

Violation of Texas Local Government Code (Venue and County Seat Authority) Judicial proceedings must be held at the lawfully designated county seat. Any change in venue must be formalized, voted upon in public session, and recorded. There is no public record showing that the Cass County Justice Center was lawfully designated as the seat of judicial authority. Any proceedings held there without documentation are voidable.

Violation of the Texas Code of Judicial Conduct Judges are bound to uphold the independence and integrity of the judiciary, to avoid the appearance of impropriety, and to respond timely to matters of safety and law. The record reflects prolonged silence by the District 5 Judge and Cass County Judge in the face of two emergency filings and multiple PIRs. This is inconsistent with the minimum standard of judicial conduct required under Texas law.

Triggering of Federal Oversight This failure has now crossed into federal oversight territory. The Department of Justice (DOJ) and the Department of Housing and Urban Development (HUD) maintain jurisdiction over federally funded infrastructure, including hazard mitigation and courthouse restoration. Where emergency declarations intersect with federal grants, any concealment, omission, or procedural evasion invites formal audit, compliance review, or civil enforcement.

Further Violations of State Statutes

- *Texas Government Code §74.092*: District Judges must ensure timely disposition of judicial business and coordinate with county officials to prevent administrative delay. The District 5 Judge’s silence now exceeded 120 days.
- *Texas Rules of Judicial Administration Rule 7*: Requires security plans to be on file with the Office of Court Administration. If no plan exists for either courthouse facility, this is an active violation.
- *Texas Health and Safety Code §121.003*: Requires immediate response to structural threats to public health. A deteriorating wall above a gas line meets this threshold and has not been mitigated.
- *Texas Local Government Code §81.003*: Requires commissioner decisions be entered into public minutes. No such minutes exist confirming lawful transfer of venue.
- *Texas Government Code §559*: Forbids suppression or misuse of public records. The failure to produce, respond to, or properly file PIRs related to public safety may constitute actionable misconduct.
- *Texas Constitution Article V, Sections 1 and 7*: Requires District Courts to sit in the designated county seat. Deviation without legal process nullifies venue and endangers judicial legitimacy.

This Court now presides over a judicial environment in which local actors are operating outside of constitutional and statutory bounds. If such behavior remains unchecked, it invites replication elsewhere. Petitioner urges this Court to recognize that the emergency record now establishes jurisdictional collapse - a vacuum of legal authority requiring immediate correction.

Submitted,

Cliff Stephens

Pro se

Linden Tx, 75563

July 4, 2025

# EXHIBIT A

**Letter from Cass County Judge Travis Ransom**
**Dated: June 26, 2025**
**Subject: Response to June 16, 2025 Public Information Request**

The following page contains a true and correct copy of the correspondence sent via U.S. Mail to Petitioner by Cass County Judge Travis Ransom, received June 26, 2025. This document is submitted as formal evidence of limited procedural engagement and acknowledgment of the Emergency Record.

R. TRAVIS RANSOM
Cass County Judge

P.O. Box 825
Linden, Texas 75563

June 26, 2025

Mr. Cliff Stephens
981 CR 1456
Linden, TX 75563

Dear Mr. Stephens:

We have received your public information request for records relating to the relocation of the court operations, the court security committee, and internal communications, dated June 16, 2025.

Due to the broad nature of your requests, it is not clear what information you are requesting. Furthermore, you are requesting a large amount of information covering several years of records. Pursuant to section 552.222(b) of the Texas Government Code, we are requesting clarification of your request and a discussion regarding how the scope of request might be narrowed.

If your response to this request for clarification and discussion is not received by the 61st calendar day after this request is sent, your underlying public information request will be considered to have been withdrawn.

Sincerely,

Travis Ransom
Cass County Judge
P.O Box 825
Linden, TX 75563
Phone: 903-756-5181
Fax: 903-756-5732

7/8/2025 8:00 AM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Selina Hamilton

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

Cliff Stephens

PETITIONER

V

TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

and CASS COUNTY

RESPONDENTS

353rd JUDICIAL DISTRICT

# FINAL STATEMENT ON SYSTEMIC FAILURE AND EMERGENCY NONCOMPLIANCE

**TO THE HONORABLE JUDGE OF SAID COURT:**

This final statement is submitted regarding the operational breakdown at the Cass County Courthouse, the dereliction of duty by the Cass County Judge and District 5 Judge, and the administrative failure of the municipal government of Linden, Texas.

## Section I - Statement of Record

A lawful emergency filing was submitted and entered into the record in accordance with applicable provisions of the Texas Government Code and related statutory requirements. As of the date of this filing, the emergency remains unacknowledged and unacted upon by all relevant authorities, including:

- The Cass County Judge;
- The District 5 Judge;
- The Regional Presiding Judge of the 10th Administrative Judicial Region; and
- The Office of Court Administration , Court Security Committee .

Each of these bodies is now in procedural default, having failed to respond within the statutory or customary time frame required for matters involving courthouse security, judicial venue, and emergency compliance.

Accordingly, no lawful authority within the State Judiciary has formally addressed, acknowledged, or acted upon the emergency now before the Court. The record remains silent.

## Section II - Threshold for Procedural Disqualification

Failure to act under a clear statutory duty structural abandonment of office. Silence in the face of an emergency filing, where law imposes a duty to acknowledge and act, operates as a *procedural default*.

The Texas Government Code, the Texas Constitution, and Senate Bill 42 each impose non-discretionary obligations upon public officials, including:

- The prompt acknowledgment of declared or filed public emergencies;
- The active protection of courthouse personnel and the general public; and
- The performance of mandatory duties within defined statutory timeframes.

At present, the record reflects no such action by any actor within the applicable judicial or administrative structure of the State of Texas. The emergency remains unanswered. The silence is absolute.

## Section III - On Feigned Ignorance and Disqualification

To the official reviewing this record:

Should any party now assert that they were unaware of the emergency filing - whether by claiming, “I didn’t know,” “My secretary didn’t inform me,” or “It was lost” - such assertions do not constitute a defense. They constitute grounds for disqualification. If they did not know then they do not meet the standards of Texas.

The State of Texas does not license unawareness in matters of emergency governance. It does not credential incompetence in the administration of courthouse security. And it does not *dignify* those who ignore statutory obligations and later seek to excuse their inaction through claims of confusion or clerical oversight.

To lack knowledge of a lawfully filed emergency is, in and of itself, evidence of unfitness to hold the position.

## Section IV - The Emergency Principle: Replace, Don’t Repair

It’s faster, more reliable, and less disruptive to *replace* a failed system outright than to pause operations, divert institutional focus, and attempt piecemeal correction under duress.
As a matter of logic:

> *Which is faster - replacing the AA batteries in a remote, or waiting to recharge them?*
> *In every context, replacement maintains continuity, preserves function, and prevents secondary collapse.*

Moreover, embedded within this doctrine lies another immutable truth:

> In any sound system, the cream must rise to the top.

When a system fails, two paths present themselves:

1. Attempt to repair and rehabilitate those who presided over its failure, or
2. Replace the system with fresh components - untethered to habit, untainted by inaction, and capable of fulfilling the standard the system was designed to uphold.

To pursue the first path is to obstruct the system’s natural self-correcting function. It denies opportunity to those who are prepared to serve with integrity. It entraps the structure in its own failure.

To pursue the second path - replacement - is to fulfill the system’s original purpose: to identify, elevate, and empower those capable of meeting the duty.

In this way, replacement is the completion of the system’s own design and a natural display of its intended design

## Section V  - Coaching the Negligent is a Violation of System Integrity

The State of Texas cannot allocate time or institutional energy toward the rehabilitation of habitual negligence. Officials who accept public office under oath are expected to understand and fulfill their duties without delay, persuasion, or prompting.

To expend judicial resources attempting to encourage sworn officers to meet basic obligations undermines the very structure of lawful governance. A system that must repeatedly intervene to secure compliance from its own components has already forfeited its operational integrity.

The threshold for continued service must remain high. It is not the role of this Court or any oversight body to persuade negligent actors to perform what is already required by law. Where such performance is absent, correction must come through replacement, not through instruction.

A system comprised of unresponsive or indifferent actors cannot be patched into functionality. It must be structurally refreshed in order to preserve legitimacy, restore order, and protect the public.

This approach is not discretionary. It is the only lawful method of preserving the integrity of the system.

## Section VI - The Cost of Judicial Abandonment

When the District 5 Judge refused to return to his chambers and relocated proceedings to the so-called "Justice Center," the town of Linden began to die.

- A beloved restaurant, open for over 50 years, shuttered.
- Downtown emptied.
- Livelihoods vanished - over 100 jobs lost.

This is no exaggeration. It is the reason for Petitioner's intensity. Over the span of the Judge's refusal to return, Petitioner has witnessed the failure of no fewer than ten local businesses. The cultural and economic core of Linden has been hollowed out. It is too late to go back.

Ask any resident of Linden whether the Judge should return to the courthouse, and the answer is unequivocal: Yes. Of the 1,200 people in Linden, 1,198 want the Judge to return. The only holdout is the District 5 Judge himself - out of convenience. The Cass County Judge, in failing to object to this offsite operation, has shown such a level of incompetence that he does not appear to grasp the systemic risks it imposes.

It is one matter to abandon the courthouse and drain a town of its civic and economic lifeblood. It is another matter entirely to leave that building unguarded, with the Clerk and her staff exposed to risk. The records of this county - its legal history, its property rolls, its vital infrastructure - remain unsecured. The Clerk has formally requested security. She has been ignored.

This alone disqualifies those responsible from any position of leadership that requires integrity or duty. They have failed so completely that they cannot conceive of the need to protect their own people.

If the county records were to be damaged or lost, there would be no way for Petitioner to correct the institutional negligence now on full display. Such damage would irreparably benefit Respondents - the very parties whose silence and inaction have endangered the system.

This is the cost of judicial abandonment. This is what happens when civic gravity is removed by those sworn to carry it.

## Section VII - The Cathedral

To conduct court within the courthouse is a judicial honor.

To plead with a sitting judge to return to this cathedral of Texas justice is an insult - to the bench, to the building, and to the people it has served since 1861.

Across the State of Texas, there are judges of competence, humility, and readiness - jurists who would approach this seat with reverence, not resistance. Such a judge would be welcomed as a hero, becoming the civic focal point of a community eager to rise again.

To appoint anew would ignite that resurgence. A foundation for something great remains - but it must be built around one capable of occupying the chair.

## Section VIII -  Legal Doctrine Justifying System Replacement

### 1. Doctrine of Administrative Necessity

Where no lawful actor within a system remains functional, jurisdiction must elevate to an external authority. This is procedural law.

When statutory obligations go unmet and internal correction fails, administrative necessity demands referral upward, including but not limited to:

- The Office of the Attorney General
- Federal oversight, if civil rights or federally funded programs are implicated
- A court of competent jurisdiction exercising emergency authority

This elevation is structural. Once the system defaults, external jurisdiction must intervene to restore lawful operation.

## Section IX -  Referral for Oversight

The Court is respectfully requested to:

- Refer this matter to the Office of the Attorney General;
- Or, in the alternative, initiate oversight referral to a federal authority should federal funds, due process rights, or public safety statutes be implicated.

*To return* jurisdiction to a body in procedural default is to reward silence and sanction the abandonment of duty. This Court holds the authority  -  and now the obligation  -  to elevate the matter where lawful function may still be exercised.

## Section X - Duty to the Integrity of the System

This oversight body holds a solemn duty to uphold the integrity of the system as a whole. No individual within the body outweighs the importance of the body itself. Personal preference, career aspiration, or habitual practice cannot obstruct this duty.

The procedures and processes that grant this system its harmony exist for one reason: to preserve lawful function through disciplined, apolitical execution of responsibility. When the system is compromised, the mandate is clear - replace the failed components and allow the natural corrective process to occur.

The duty to replace is not creative. It is custodial.
It ensures that only those who meet the standard remain.
This body is obligated to uphold that standard - and let the cream rise.

Wherever this body bears witness to any individual whose conduct places the integrity of the system at risk, it is duty-bound to act. The obligation to replace such an individual is not rooted in personal preference or discretion - it is a structural requirement.

Oversight must be exercised without hesitation, remorse, or delay.
To preserve the whole, the compromised part must be removed.
This is not personal. It is procedural.
It is the duty owed to the system itself.

## Section *XI* - Closing Statement

The truth is not that these actors are broken or malicious - they were never structurally intact. Their failure is not a surprise - it is a measurable result of not meeting the high standards Texas requires.

Reprimand is not a remedy.
Negligence cannot be coached.
Incompetence cannot be negotiated.

This is not a matter of emotion or argument. It is a procedural necessity. Once actors fall below the threshold of lawful service, the only lawful course is replacement. Petitioner reserves the right to supplement this record should further noncompliance or evidentiary failures arise.

Respectfully Submitted,
Cliff Stephens
Pro Se
Linden Tx, 75563
July 4, 2025

FILE COPY

Filed in the District Court
Of Travis County, Texas
At JULY 25, 2025 @ 6:02 PM
Velva L. Price, District Clerk

**COURT OF APPEALS**
**FOR THE**
**THIRD DISTRICT OF TEXAS**
P.O. BOX 12547, AUSTIN, TEXAS 78711-2547
(512) 463-1733

Date: July 25, 2025

Appeal No.: 03-25-00499-CV
Trial Court No.: D-1-GN-25-002397

Style: In re Cliff Stephens

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The enclosed opinion was sent this date to the following persons:

William (Bill) W. Miller Jr.
Judge, 5th District Court
604 State Hwy 8
Linden, TX 75565

Mr. Nathan Carroll
Texas Division of Emergency Management
2809 S. John Redditt
Lufkin, TX 75904
* DELIVERED VIA E-MAIL *

The Honorable Velva L. Price
Civil District Clerk
Travis County Courthouse
P. O. Box 1748
Austin, TX 78767
* DELIVERED VIA E-MAIL *

The Honorable Dib Waldrip
Administrative Judge
150 N. Seguin Street, Suite 3114
New Braunfels, TX 78130
* DELIVERED VIA E-MAIL *

Ms. Amanda Davis
Brown & Hofmeister, LLP
740 E. Campbell Road, Suite 800
Richardson, TX 75081
* DELIVERED VIA E-MAIL *

Mr. Cliff Stephens
981 CR 1456
Linden, TX 75563
* DELIVERED VIA E-MAIL *

Filed in the District Court
Of Travis County, Texas
At JULY 25, 2025 @ 6:02 PM
Velva L. Price, District Clerk

# TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

## NO. 03-25-00499-CV

**In re Cliff Stephens**

## ORIGINAL PROCEEDING FROM TRAVIS COUNTY

## MEMORANDUM OPINION

Relator Cliff Stephens has filed a pro se petition for writ of mandamus. Having reviewed the petition, we dismiss the petition for writ of mandamus for want of jurisdiction. *See* Tex. R. App. P. 52.8(a).

Relator has listed as respondents the Texas Department of Emergency Management and Cass County. This Court's mandamus jurisdiction is expressly limited by statute to: (1) writs against a district court judge or county court judge in this Court's district, and (2) all writs necessary to enforce our jurisdiction. *See* Tex. Gov't Code § 22.221. As to the former, the Third Court of Appeals has jurisdiction of appeals from the trial courts located in Bastrop, Bell, Blanco, Burnet, Caldwell, Coke, Comal, Concho, Fayette, Hays, Irion, Lampasas, Lee, Llano, McCulloch, Milam, Mills, Runnels, San Saba, Schleicher, Sterling, Tom Green, Travis, and Williamson counties. *See id.* § 22.201(d). This is an original proceeding from Cass County. *See id.* § 22.221. Thus, even if that Relator's petition were directed to a district court, we have no jurisdiction to issue a writ of mandamus against a district court judge outside this Court's district. *See id.* As to the latter, Relator has not demonstrated that the exercise of our writ power is necessary to enforce

our jurisdiction in this case. Therefore, Relator has not established that we have jurisdiction to issue the writ he seeks.

The petition for writ of mandamus is dismissed for want of jurisdiction. *See* Tex. R. App. P. 52.8(a).

Rosa Lopez Theofanis, Justice

Before Justices Triana, Kelly, and Theofanis

Filed: July 25, 2025

7/25/2025 8:33 PM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Ana Lopez

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

Cliff Stephens

PETITIONER

v.

TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

and CASS COUNTY

RESPONDENTS

353rd JUDICIAL DISTRICT

# FINAL NOTICE OF STATE JURISDICTIONAL FAILURE AND PRESERVATION FOR FEDERAL REVIEW

TO THE HONORABLE JUDGE OF SAID COURT

Petitioner files this as final record preservation. The Texas Division of Emergency Management remains unaddressed. Jurisdiction remains within this Court. Absent relief, state process stands exhausted. Federal review follows under constitutional and statutory authority.

The omission was no oversight. The appellate court named both Respondents. It ruled against one and abandoned the other. That silence speaks. The record holds it. Petitioner preserves the failure and proceeds accordingly. The appellate court’s partial ruling is obvious, unprofessional, and expected.

Petitioner notes that no directive was requested from the Third Court of Appeals regarding TDEM. The court was not asked to compel action , only to recognize the agency as a Respondent subject to review. Its complete omission of TDEM cannot be dismissed as judicial restraint. It functions as a silent dismissal of a state entity named in the record. That silence now transfers intact for federal review.

Submitted,

Cliff Stephens

Linden, Tx 75563

July 25, 2025

Appendix A: Third Court of Appeals Ruling (July 25, 2025)

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-25-00499-CV

In re Cliff Stephens

ORIGINAL PROCEEDING FROM TRAVIS COUNTY

MEMORANDUM OPINION

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Relator has listed as respondents the Texas Department of Emergency Management and Cass County. This Court's mandamus jurisdiction is expressly limited by statute to: (1) writs against a district court judge or county court judge in this Court's district, and (2) all writs necessary to enforce our jurisdiction. See Tex. Gov't Code § 22.221. As to the former, the Third Court of Appeals has jurisdiction of appeals from the trial courts located in Bastrop, Bell, Blanco, Burnet, Caldwell, Coke, Comal, Concho, Fayette, Hays, Irion, Lampasas, Lee, Llano, McCulloch, Milam, Mills, Runnels, San Saba, Schleicher, Sterling, Tom Green, Travis, and Williamson counties. See id. § 22.201(d). This is an original proceeding from Cass County. See id. § 22.221. Thus, even if that Relator's petition were directed to a district court, we have no jurisdiction to issue a writ of mandamus against a district court judge outside this Court's district. See id. As to the latter, Relator has not demonstrated that the exercise of our writ power is necessary to enforce

our jurisdiction in this case. Therefore, Relator has not established that we have jurisdiction to issue the writ he seeks.

The petition for writ of mandamus is dismissed for want of jurisdiction. See Tex. R. App. P. 52.8(a).

Rosa Lopez Theofanis, Justice

Before Justices Triana, Kelly, and Theofanis

Filed: July 25, 2025

9/12/2025 7:34 PM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Norma Ybarra

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

Cliff Stephens

PETITIONER

v.

TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

and CASS COUNTY

RESPONDENTS

353rd JUDICIAL DISTRICT

# Condition Report and Notice of City Counsel’s Contradictions

September 8 - 12th

8/18/2025 12:00 AM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Nancy Rodriguez

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

Cliff Stephens

PETITIONER

V

TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

and CASS COUNTY

RESPONDENTS

353rd JUDICIAL DISTRICT

# Emergency Petition for Relief and Request for Transmission to the Supreme Court Following Procedural Disqualification of the Sixth Court of Appeals

**TO THE HONORABLE JUDGE OF SAID COURT**

Petitioner first presented this matter to the Third Court of Appeals, which correctly declined jurisdiction, as Petitioner had already acknowledged to the Justices that questions of integrity prevented that Court's involvement, though jurisdiction itself was never in doubt…

*"The geographically designated appellate court for matters arising in Cass County is the Sixth Court of Appeals, located in Texarkana. However, both the District Judge for the Fifth Judicial District and the Sixth Court of Appeals operate out of the same facility - the Bi-State Justice Center in Texarkana, Texas… Given this shared facility, overlapping jurisdiction, and day-to-day proximity between the Sixth Court of Appeals and the District Judge whose conduct is now at issue, it would compromise the appearance of impartial review for the Sixth Court to adjudicate this matter."*

*(Envelope 103164079 V. Jurisdictional Statement)*

Table of Contents:

Exhibit A - Original Proceeding Petition 6th Court Of Appeals

Exhibit B - Notice of Federal Oversight Engagement

Exhibit C - 6th COURT OF APPEALS RULING

Prayer for Emergency Relief

**Exhibit A ( Original Proceeding Petition 6th Court Of Appeals )**

ACCEPTED

06-25-00072-CV

SIXTH COURT OF APPEALS

TEXARKANA, TEXAS

8/13/2025 9:34 PM

DEBBIE AUTREY

CLE

IN THE SIXTH COURT OF APPEALS

TEXARKANA, TEXAS

IN RE: CLIFF STEPHENS, PETITIONER

v.

TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

and CASS COUNTY, RESPONDENTS

ON RECORD FILED IN CAUSE NO. D-1-GN-25-002397

353RD JUDICIAL DISTRICT COURT, TRAVIS COUNTY, TEXAS

EMERGENCY PETITION FOR REVIEW AND RELIEF

**TO THE HONORABLE JUSTICE OF SAID COURT:**

Comes now Petitioner, Cliff Stephens, in the matter of emergency for reconciliation. This filing presents two open, state-acknowledged, and undisputed emergencies:

1. The immediate need for a permit authorizing controlled deconstruction of a hazardous wall.
2. The immediate need for mandated security at the Cass County Courthouse.

The process by which this matter has been brought before this Court is not widely recognized, yet it is fully consistent with established emergency procedure. Petitioner now sets forth the basis for this Courts awareness and action.

## HOT-LINING

In continuous emergency environments, such as nuclear power plants, operations remain at a Level 2 emergency posture for as long as the reactor core is engaged. This posture exists because the threat is constant, and procedural safeguards must remain active at all times.

Within such systems, checks and balances are designed to keep the operation self-regulating. One of these safeguards is the process known as "hot-lining." Hot-lining is the act of formally recording and reporting an entity's actions or omissions when they fall outside normal procedural norms, especially where those actions may endanger the core - here, the "core" being public safety.

Under established emergency principles, if an operator becomes aware of negligence and allows it to continue, that operator shares responsibility for any resulting harm. Petitioner, having identified negligence within the chain of authority, is obligated by duty to the public to make that negligence part of the official emergency record.

## EXAMPLES OF NEGLIGENCE IN CASS COUNTY

It is not procedurally normal for the Cass County Judge to ignore a Chapter 418 emergency request for a permit to mitigate a documented hazard. Yet, despite formal notice and the urgency established by a licensed engineers report, no permit has been issued and no action has been taken.

It is likewise irregular for the Cass County District Attorney to treat an emergency petition as if it were an ordinary legal filing, rather than an invocation of the states emergency framework. The District Attorneys only action was to request that the presiding judge dismiss the matter outright, without addressing, acknowledging, or disputing the emergency conditions described.

Further, the District Attorney requested that the emergency be dismissed with prejudice, an action that would bar further filing, despite the absence of any logical adjudication on the underlying emergency. Such a request disregards both the procedural requirements of Chapter 418 and the duty to protect public safety.

## NATURE OF FILING

This is not a legal filing in the conventional sense. No legal consequences have yet occurred, and none are sought. The record now before the courts remains an emergency record under Chapter 418, not a legal record.

At the moment that harm occurs - whether through injury, death, structural collapse, or other damage - the record will automatically convert from an emergency record into a legal record. At that point, the matter will enter the legal framework, and attorneys may act within that system.

Until such a moment, the matter resides exclusively within the emergency framework, where the objective is mitigation and prevention, not litigation

## STATUS OF RECORD

The record accepted by this Court - Volume I - remains physically and procedurally in the possession of the 353rd District Court. No request has been made for the Sixth Court of Appeals to answer or rule upon that record.

The matter presently before this Court constitutes Volume II of the emergency record. Volume II may reference Volume I for context and clarity, but no adjudication of Volume I is requested. Any crossover between the two volumes is for reference purposes only and does not expand the scope of relief sought in this proceeding.

## TOTAL SCOPE OF HOT-LINING

Petitioner has hot-lined the entire Texas judiciary relevant to this matter (VOL I, page 329). Every authority in the chain of command - from the county level to the top of the state judiciary - is now in a state of procedural awareness regarding the emergencies described. All have chosen to remain silent.

In the emergency framework, hot-lining constitutes procedural check. Once the chain of command is procedurally checked, it is considered exhausted. All those with the authority to speak have either declined or refused to act. Under Chapter 418, that exhaustion triggers procedural bypass - the matter automatically escalates to the next level of oversight.

## THE FIRST FEDERAL FUMBLE

On August 12, 2025, the Federal Clerk of the United States District Court for the Eastern District of Texas, located at 500 North Stateline Avenue, Room 301, physically received Petitioner's Notice of Federal Engagement, turned through its pages, and was informed that:

1. The matter was ripe for federal oversight.
2. Procedural exhaustion had occurred within the State of Texas.
3. The filing was being made under emergency procedure, not conventional legal process.

Despite having possession of the record and awareness of its posture, the Clerk refused to receive it. In the emergency framework, the Clerk's role is ministerial: to take in the notice, place it before the judge, and preserve it on the docket. The Clerk has no authority to screen an emergency notice ripe for federal oversite, nor to decide which emergencies a federal judge may or may not see.

By refusing the filing, the Clerk did more than block paperwork - the refusal itself constitutes a procedural default of the presiding judge. The judge's duty in this posture is limited but critical: to hold the record in readiness should the matter be called up again. That function was cut off at the Clerks desk. In effect, the Clerk assumed the judges role, becoming the de facto “duty judge” without lawful authority.

The matter was ultimately left on the Clerk’s desk, and he now holds the oversight engagement. In the chain of escalation, this means the engagement remains physically and procedurally lodged in the Eastern District, even as the record advances to the next tier. The Clerk, by holding the engagement, continues to bear responsibility for its preservation - but the default stands, and the bypass to higher authority is already in effect. When a procedural node fails in this way, the record is advanced past the negligent authority. Here, the Eastern District has refused an emergency record that was ripe for federal oversight. That ripeness doesn’t go away, it advances. As a result, the judge is bypassed, and the record proceeds automatically to the Fifth Circuit Court of Appeals in New Orleans.

Under established emergency doctrine, refusal is itself the condition - the trigger for escalation. The chain is direct:

This is a political escalation, not a conventional legal action.

Legal escalation happens after consequence occurs. The objective is to place the emergency on the record before the United States House of Representatives. This ensures that when the State stalls, refuses to act, or fails to perform, the
matter is already recognized at the federal political level. When the imminent consequences occur, the record will already be recognized before the House, awaiting only the legal outcome to attach to it. The House will not be learning of the emergency for the first time after harm - it will have been aware, on notice, already in a natural position of over site.

This escalation is not legal or personal - it is procedural and political.

## Procedural Pressure and Congressional Oversight Process

On page 210 of Volume I, Senator Ted Cruz is placed in procedural check - he too failed to respond to the emergency filing. The question is not whether Congress will recognize this emergency as having exhausted the Texas system, but how many members will do so.

Which would the Justices of this Court prefer - the consequence of inaction that results in harm, or a moment of public embarrassment? Oversight is pressure through embarrassment, but it is not mere embarrassment - it is duty. When a petitioner brings forward a fully exhausted emergency record, it is Congress's duty to make it public, recognize it on the House floor, and not sit down until the matter is recognized.

If Petitioner must take this to a member of Congress, understand that procedurally, the matter is already there. If securing the protection the Cass County Clerk and the Cass County Record deserve under Texas law requires members from Kentucky or Tennessee to embarrass Senator Cruz - and by extension, the Supreme Court of Texas - to compel action, then so be it. That is duty, not personal dispute.

Petitioner brings this to the Court because the Cass County system shows no evidence of duty - no respect for the record, the Clerk, or the safety of Petitioner's neighbors. If Texas has forgotten its duty, oversight will remind it - and oversight is already engaged. The Federal Clerk's refusal caused a rapid escalation. By procedure, the matter becomes ripe for congressional review the moment the Fifth Circuit Clerk receives the emergency engagement filing.If it takes members of Congress standing on the House floor to call out Texas for leaving the Cass County Clerk unprotected, that is how the system corrects itself. Petitioner does not seek a verdict; in emergency law, the equivalent is relief. Relief comes through mitigation, not judgment. If the State will not provide it, procedural pressure - up to and including congressional engagement - is the proper and intended response.

This matter should be resolved by Texas without reaching the House floor. But every day of inaction is another day the Clerk remains unsecured and Petitioner is prevented from removing a hazardous wall. Petitioners professional opinion is the wall will fail within some 700 days of the initial emergency declaration; over 150 have already passed. The escalation path is set, the hazard clock is running, and this Court still has the chance to resolve it now.

## PETITIONER’S POSITION AND RESOLVE

It is not that Petitioner believes the Justices of the Sixth Court of Appeals act in bad faith. Rather, it is that Petitioner need not wait to see if there is any faith at all. Faith is not the measure here; reliance rests in the checks and balances of the system. There is no need for faith when the process itself is designed to move forward, with or without the discretion of any one actor.

How could it be that the Supreme Court of Texas would have to issue a permit to a citizen to mitigate a recorded threat? Yet we are one step away from that reality. That outcome would speak to the absence of duty throughout the system that allowed it to escalate this far.

## Conclusion

It comes down to the argument the Cass County District Attorney made in the effort to have the emergency dismissed with prejudice:

“Here, Plaintiff has failed to show that he has a justiciable interest in the location of the county courthouse or in how the courthouse or any other county building is secured. Plaintiff has not shown that the general public has any right, statutory or otherwise, regarding a county courthouse’s location or security. Plaintiff has also not plead any facts that show that he was uniquely injured by any alleged violations regarding those matters. Because Plaintiff cannot show that this is a matter of public right, or that he has an interest apart from that of the general public, his petition should be dismissed for want of a justiciable interest.” (VOL I , p. 109)

If Petitioner must go all the way to the Floor of the House of the People to show the Cass County District Attorney that the House belongs to the People, then so be it - it will be easy. The County Seat is the Peoples seat, the Courthouse is the Peoples house, and the District Attorneys role exists solely by the will of the People. Every wall, desk, record within the District Attorneys reach belongs to the People. That they do not know this is plain: they have no sense of duty.

**Prayers for Relief**

1. Permit Authorization - The Court shall direct the immediate issuance of a temporary permit authorizing Petitioner to enter the described easement and perform controlled deconstruction of the identified wall, in accordance with the engineer's safety recommendations and Texas Government Code Chapter 418.

2. Security Provision - The Court shall order that all proceedings arising from Cass County, and all courthouse security required under Texas Government Code § 29.013 and Senate Bill 42, be returned to and maintained at the Cass County Courthouse in Linden, the designated county seat, consistent with Texas Government Code § 24.105(d)(2).

3. Venue Determination - The Court shall state whether, under Texas Government Code § 24.105, a 5th District Court judge could lawfully sit and issue rulings from the Bi-State Justice Center if the statute did not expressly authorize "Texarkana" for Bowie County, and whether, by the same statutory standard, the term "Cass County" in § 24.105(d)(2) authorizes proceedings to be held at the Cass County Justice Center rather than at the courthouse in the county seat of Linden.

Ready, set, go

Cliff Stephens

Peitoner Pro se

Linden Tx, 75563

Exhibit B - Notice of Federal Oversight Engagement

(Filed in conjunction with Petitioner’s Emergency Petition for Review and Relief )

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

CLIFF STEPHENS

PETITIONER, PRO SE

V.

STATE OF TEXAS

RESPONDENTS

IN ASSOCIATION WITH

D-1-GN-25-002397

FEDERAL OVERSIGHT ENGAGEMENT

## Notice to the Clerk

This document arises from the complete exhaustion of all available remedies within the Texas judiciary concerning an ongoing public safety emergency. The matter is ripe for federal oversight.

This is not a legal complaint. It seeks no judgment, no damages, and no immediate decision. This is a procedural engagement of the federal system's emergency oversight function, designed to trigger awareness, preserve the record, and prepare for procedural escalation.

Pursuant to federal emergency procedures, Petitioner requests that the Clerk deliver this document and the accompanying record to the presiding Judge of this Court.

The Texas judiciary stands procedurally exhausted. No remaining state authority is available to act in the chain of command. This notice informs the Court of that exhaustion, invokes emergency oversight authority, and preserves the record in the event that legal consequences later arise.

This engagement serves as a de-escalation measure. Should the Texas Appellate Court in Texarkana fail to resolve or dismiss this matter, Petitioner will proceed with a formal complaint.

The urgency is supported by the engineer's determination that time is of the essence.

## II. Texas Government Code Chapter 418 - Bypass Clauses and Escalation to Federal Oversight

Texas Government Code Chapter 418 is the State's emergency management framework. It was drafted to prevent public safety threats from being stalled by inaction at lower levels of government and includes procedural bypasses to ensure escalation.
This structure exists across U.S. states, following the Model State Emergency Management Act, and parallels the federal Stafford Act.The Bypass Clause - § 418.014

§ 418.014. Declaration of State of Disaster
(a) The governor by executive order or proclamation may declare a state of disaster if the governor finds a disaster has occurred or that the occurrence or threat of disaster is imminent.

The Governor may declare based *solely* on a *finding of imminent threat.*
No request or declaration from local authorities is required.
§ 418.108 addresses local declarations by county judges and mayors, but nothing in § 418.014 conditions the Governor's authority on those local actions.

The word "by" is significant-it indicates that the authority is initiated and executed directly by the Governor. Chapter 418 contains no language stating "only the Governor may declare," and no restriction against public initiation of escalation in cases where officials fail to act.

## How the Bypass Works

If a local authority fails to act despite documented awareness of an imminent threat, § 418.014 triggers automatic escalation to the state level without formal request.

In this case:

Local failure - Cass County took no action: no acknowledgment, no permit issuance, no mitigation.

Imminent threat - Licensed engineer confirmed collapse inevitable; “time is of the essence.”

Bypass trigger-Under § 418.014, the Governor’s responsibility engaged without county request.

The State has taken no action for over 150 days. This demonstrates procedural exhaustion.

## Extending the Logic to Other Officials

The principle applies to any official in the escalation chain with emergency authority, including judges documented in the record.

Failure to act can only result from:

Lack of knowledge or capability, which indicates systemic failure; or

Deliberate avoidance of duty, meeting the standard for deliberate indifference.

The record shows knowledge-engineer’s report, procedural notices, confirmed receipt-and capability-authority to issue permits, order security, and initiate protective measures. This leaves deliberate indifference as the remaining conclusion.

## Escalation to Federal Oversight

Chapter 418’s bypass provisions are designed to keep emergencies from stalling. The framework is:

local - county - state - federal.

Where a lower level fails, the next higher level acts without waiting for permission.

This case has reached procedural exhaustion:

Local failure is documented.

State bypass authority under § 418.014 is clear and ignored.

Under emergency doctrine, federal oversight is appropriate.

This filing invokes the intended design of emergency law: correction of failure through higher authority for public protection.

## III. Emergency Record Summary

Petitioner, a professional in historic building restoration, retained a licensed structural engineer to evaluate a 95-year-old building in Linden, Texas. The engineer’s assessment:

Collapse is imminent.

Immediate deconstruction is required to prevent injury, death, fire, or other collateral damage.

Petitioner sought a permit for entry and controlled deconstruction.

The City of Linden:

Denied the permit without cause.

Mischaracterized the request as litigation-related, which the record disproves.

Ignored all further engagement.

Cass County and the Texas Division of Emergency Management also failed to respond, creating a documented 150+ day delay under Chapter 418.

This is a public safety emergency under Texas Government Code Chapter 418. It becomes a legal matter only after the wall falls and causes harm.

## IV. Doctrine and Procedural Exhaustion

Emergency management systems are designed so that if one authority fails, the matter escalates automatically to the next in line, including this Court.

The legal system treats exhaustion as slow and final. The emergency system treats exhaustion as immediate, based on the nature of the hazard.

One district judge rarely rules against another, making internal correction improbable. Procedural exhaustion anticipates this and routes the matter to higher authority-ultimately federal-before consequences occur.

Petitioner seeks:

Issuance of the permit.

Provision of state-mandated security for the Cass County Clerk’s office and records.

These are the State’s own minimum obligations under its laws.

## V. Awareness, Consequences, and Deliberate Indifference

The record shows awareness at city, county, and state levels through documented communications and refusals to act.

If collapse, injury, death, fire, or explosion occurs, the legal standard will be deliberate indifference: Knowledge of serious risk. Failure to act. Harm directly resulting.

No harm has yet occurred, but collapse is inevitable. Once harm results, this record will become a legal record.

By receipt of this document, the record stands preserved under emergency oversight. It will remain dormant unless activated by consequences.

If the State of Texas continues to fail in its obligations and harm occurs, the federal system will be positioned to determine which officials and actions-or inaction-caused the result.

Submitted,

Cliff Stephens

Petitioner Pro se

Linden Tx, 75563

**Exhibit C (6th COURT OF APPEALS RULING)**
Delivered: AUGUST 14th 2:01 AM

In the
Court of Appeals
Sixth Appellate District of Texas at Texarkana
No. 06-25-00072-CV
IN RE CLIFF STEPHENS

Original Mandamus Proceeding

Before Stevens, C.J., van Cleef and Rambin, JJ.

Memorandum Opinion by Chief Justice Stevens

MEMORANDUM OPINION

Cliff Stephens, proceeding pro se, has petitioned this Court for mandamus relief.

Stephens asks this Court to order the Texas Department of Emergency Management and Cass County (Respondents) to “restore lawful court operations by relocating the judge, judicial personnel, and associated infrastructure back to the Cass County Courthouse within a reasonable, court-determined time-frame.” In addition, Stephens asks this Court to “[o]rder Respondents to take immediate and affirmative steps to restore armed security at the Cass County Courthouse in full compliance with Texas Government Code § 29.006 and Senate Bill 42.”1

We deny Stephens’s requested relief.

Section 22.221 of the Texas Government Code states, in part,
(a)
Each court of appeals or a justice of a court of appeals may issue a writ of mandamus and all other writs necessary to enforce the jurisdiction of the court.
(b)
Subject to Subsection (c-1), each court of appeals for a court of appeals district may issue all writs of mandamus, agreeable to the principles of law regulating those writs, against a judge of a district, statutory county, statutory probate county, or county court in the court of appeals district.

TEX. GOV’T CODE ANN. § 22.221 (Supp.). Therefore, this Court does not have jurisdiction to issue a writ of mandamus against the Texas Department of Emergency Management or Cass

Among other things, Stephens also asks this Court to “[d]eclare that the continued offsite operation of judicial functions, in the absence of armed security, a Court Security Committee, and a lawful administrative order, constitutes a violation of state law and a breach of non-discretionary duties imposed upon Respondents.” Furthermore, Stephens asks this Court to “[e]njoin Respondents from further neglect by requiring a written certification of compliance with the Court’s orders, including confirmation of courthouse security measures, judicial relocation, and the formation of a lawful Court Security Committee, to be submitted within a time frame set by the Court.”

For the reasons stated herein, we deny these requests as well.

County unless it is necessary to enforce our jurisdiction in another proceeding. That is not the case here.

Accordingly, we deny Stephens’s petition for a writ of mandamus for want of jurisdiction.

Scott E. Stevens
Chief Justice
Date Submitted: August 13, 2025
Date Decided: August 14, 2025

## CONTRADICTIONS

Nowhere in Petitioner’s original filing did he request the Sixth Court of Appeals to rule on a writ of mandamus. That position arose only from the April 2025 emergency petition filed in the 353rd District Clerk’s official record. The 400-page certified record was transmitted to the Sixth Court solely for awareness and integrity, with explicit notice that it was not to be ruled upon.

Yet the Sixth Court did precisely that: it took a record not presented for adjudication, reclassified it as an “Original Proceeding in Mandamus,” and ruled on it without request. That is the first contradiction.

Second: Petitioner’s filing was styled and accepted as an *Emergency Petition*. The Court never once used the word “emergency” in its opinion. Cheif Justice Stevens read 400 pages of Emergency Filings and never once said ‘emergency’ in his memorandum. He addressed one-third of the petition he was never requested to address - the mandamus portion - and ignored the rest. What was the rest? The rest is an emergency. In doing so, Cheif Justice deliberately re-framed an *emergency petition* as routine litigation, sidestepping the very condition that defined it. It must be investigated – how many times has this Chief Justice mischaracterized an emergency filing and that emergency later led to consequence?

Third: The record was over 400 pages. It was filed at 8:13 a.m. on August 13, 2025, and denied at 2:01 a.m. on August 14, 2025 - less than 18 hours later. No court can meaningfully deliberate a 400-page emergency record in that time. Issuing an opinion in the dead of night without addressing the emergency itself is incomprehensibly reckless. Who has the urgency to write at 2 a.m. but not the urgency to address a collapsing wall and unsecured courthouse?

Fourth: Petitioner filed the original *emergency* petition labeled for the Sixth Court before the denial was issued. That petition was accepted but not considered. Instead, Chief Justice Stevens offered a memorandum opinion on something nobody asked him to rule upon, recast the matter as a legal mandamus only, and never once acknowledged the emergency condition plainly before him.

Now the contradictions stand exposed:

- A court that claims jurisdiction under §22.201(f) over Cass County has disclaimed emergency authority over Cass County.
- A court that accepted an emergency petition denied it without addressing the emergency.
- A court that received a record for awareness ruled on it without being asked.
- A court that could have corrected 150 days of silence from the Fifth District Judge instead joined that silence.

Either the Fifth District Judge is oblivious after 150 days - a procedural disqualification in itself - or he knows and is hiding behind the 353rd's good faith. Either way, he has abandoned duty. The Sixth Appellate Court's response compounds that abandonment.

Judges cannot ignore emergencies without consequence. The Cass County Judge has ignored this since March. The District Attorney attempted dismissal without ever saying the word "emergency." The Fifth District Judge has allowed silence to stand for 150 days. And now the Sixth Court, indifferent and negligent, has joined them.

Chief Justice Stevens did not dispute the existence of an emergency. He simply refused to engage it. if the chain of duty is so compromised that emergencies are misfiled, mislabeled, and dismissed on false terms, then this record proves the system itself is in failure.

**Prayer for Emergency Relief**

1. Permit Authorization – Issue immediate emergency authorization for Petitioner to enter the designated easement and perform controlled deconstruction of the hazardous wall, in accordance with the engineer's findings and Texas Government Code Chapter 418.

2. Acknowledgment of Parallel Emergency – Recognize that the Cass County Clerk's lack of courthouse security constitutes a separate and parallel emergency which Respondents have never disputed. Though its fuse is different, it is no less urgent under Texas law.

3. Emergency Transmission to the Texas Supreme Court – Transmit the full emergency record in this cause to the Supreme Court of Texas under emergency designation, accompanied by this Court's official opinion stating that:

- The emergency is open, acknowledged, and undisputed.
- The matter remains unresolved after more than 150 days.
- Clarification and resolution now rest with the Supreme Court of Texas.

## Conclusion

The Sixth Appellate Court disclaimed emergency authority over Cass County. The Fifth District Judge has remained silent for over 150 days. If this Court does not act, Cass County stands orphaned of judicial duty while two undisputed emergencies remain open.

Cliff Stephens

Petitioner Pro se

Linden Tx, 75563

August 16, 2025

FILE COPY

CHIEF JUSTICE
SCOTT E. STEVENS

JUSTICES
CHARLES VAN CLEEF
JEFF RAMBIN

# *Court of Appeals*
***Sixth Appellate District***
***State of Texas***

CLERK
DEBRA K. AUTREY

BI-STATE JUSTICE BUILDING
100 NORTH STATE LINE AVENUE #20
TEXARKANA, TEXAS 75501
(903) 798-3046

Thursday, August 14, 2025

Cliff Stephens
Linden, TX 75563
* DELIVERED VIA E-MAIL *

**RE**: Appellate Case Number: 06-25-00072-CV

**Style:** In re Cliff Stephens

The Court entered its order this date in the referenced proceeding whereby Relator's Petition for Writ of Mandamus was **DENIED**.

A true copy of this Court's Opinion and Judgment is enclosed.

Respectfully submitted,

**Debra K. Autrey, Clerk**

Kim Robinson
By: Kim Robinson, Deputy Clerk

cc: Judge Travis Ransom (DELIVERED VIA E-MAIL)
Amy L. Varnell, County Clerk (DELIVERED VIA E-MAIL)

9/2/2025 12:00 AM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Candy Schmidt

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

Cliff Stephens

PETITIONER

V

TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

and CASS COUNTY

RESPONDENTS

353rd JUDICIAL DISTRICT

# EMERGENCY MOTION and CONDITION REPORT

AUGUST 25th - AUGUST 31st

TO THE HONORABLE JUDGE OF SAID COURT

Comes now Petitioner to provide a condition report for the week of August 25 - September 1 , 2025.

## Exhaustion of All Available Entities

The exhaustion of the Texas judiciary occurred over the course of three months. It began with the Governor, who is most equipped to resolve this issue, and it ended with the Governor.

**Governors Check - Exhibit A**

On March 10th, 2025, Petitioner reached out to the Governor through his own channels. TDEM's primary roll is to facilitate communication. Petitioner correctly directed the correspondence to the Governor. At the time of March 10th, it was inconceivable that the Cass County Judge would continue to ignore the matter entirely.

If the Governor's emergency management system were operating properly, he would by now be aware of an emergency that has remained unresolved for more than 200 days. He would see that this is open, acknowledged, undisputed - he could have then set a Deputy to review the emergency record to see what his office could do. Either the Governor's system does not work, and he remains unaware that an open, acknowledged, undisputed emergency sits perpetually on the books without resolution, or the Governor is ignoring his constitutional duty. This is the Governor's duty , he is the emergency mitigator for this 200+ day old undisputed emergency filing , his office is most equipped to resolve the emergency petition. But, when the whole state defers emergency authority, it does not disappear.

## EXHIBIT B - GOVERNOR’S RESPONSE

Exhibit B is a response issued by the Governor’s Office on August 19, 2025, more than one hundred days after the emergency was declared. By that date the Cass County Judge had already gone more than one hundred and fifty days without addressing the emergency directly, despite being served.

The response was signed by a Deputy Director of Constituent Communications. That office is not part of the emergency communication network. The signatory holds no emergency authority and was not updated on the status or posture of the matter.

This demonstrates that the Governor’s Office misclassified an active emergency petition as routine correspondence and delegated response to a staff member without authority. Such action confirms procedural deferral and mismanagement at the executive level.

Reference to Chapter 418, Texas Government Code: Chapter 418 grants authority to the Governor to declare a disaster, yet the statute does not say that only the Governor may declare or exercise emergency powers. The omission is deliberate. It accounts for the possibility that the Governor, or the systems under his command, may fail. Emergency law cannot rely on the integrity of elected officials. The statute is written to keep government functioning even when the executive defaults.

## EXHIBIT C - DOJ ACKNOWLEDGMENT

“We previously received similar correspondence from you concerning this matter and we responded to that inquiry.”

First the message is received, then it is acknowledged, then it is recognized. Here the Department of Justice acknowledged that it had previously received correspondence on the same issue. This confirms that the matter is not an isolated anomaly but a continuation of prior communication.

This acknowledgment represents the hook into the federal emergency management system. The federal record now reflects the anomaly, and the Department of Justice has tied the present filing to a history already on file. The record has moved.

The Department of Justice has now gone on record twice with the same problem. The first problem was the silence of the judiciary during an emergency involving public safety. The second is the continuation of that same silence today. Both stand in the federal record.

## CITY TAMPERING

During the week of August 25, 2025, Petitioner observed direct interference by the City of Linden. City municipal workers have scheduled and initiated plans to perform work that would require the deconstruction of the temporary bracing presently holding up the hazardous wall.

**Repeated for clarity: The City of Linden is undertaking work that requires the removal of the only temporary safety structure preventing collapse.**

This conduct reveals a pattern of contradiction and bad faith:

- At first, the City stated: *"It is not our land; you cannot have a permit."*
- Later, the City claimed: *"It is our land, and therefore your structure must be removed because work needs to be done."*

Petitioner has obtained professional opinion that, under present conditions, the wall may remain standing for approximately 700 more days. However, if the City proceeds with its plan and dismantles the safety bracing, collapse becomes imminent - a matter of days rather than months.

It is inconceivable that a municipality would knowingly allow this to occur. Yet the wall is located within direct line of sight of the City Manager's office. The amount of work performed in Linden is limited; it is impossible for the City to claim ignorance of the fact that their planned work necessitates removal of this temporary support structure.

**PROCEDURALLY**

The Honorable Judge of Said Court holds one procedural move. Escalation. Silence at this stage means taking upon this Court the entire silence of the Cass County Judiciary and the local District Court. That is not how the system was designed. Silence at this stage will be recorded as the bottleneck. Sending this emergency filing down to the 5th District Judge, who has been absent for more than two hundred days, would be indisputably negligent.

If procedure were functioning as designed, this emergency filing would already stand before the Supreme Court of Texas. To wait and see whether procedure fails is to invite further failure into the record. Trusting the Supreme Court to act quickly would contradict the observable pattern of judicial delay and silence.

*It is just as likely* that the Court will hesitate or mishandle as it is that the Court will respond. Two appellate courts have already touched this filing and issued rulings, proving that the judiciary has *recognized it without resolving it*. Petitioner prefers resolution by the Supreme Court of Texas and places the remedy before this Court now. Yet Petitioner will not rest the emergency on that assumption. For this reason, Petitioner escalates in parallel to the Federal Judge in Marshall for emergency relief and mitigation, unless and until the Supreme Court resolves this emergency through relocation rather than restriction.

The only proper place to send this record is the Supreme Court of Texas.

***Petitioner now addresses that Court:***

The remedy is clear. Relocate the 6th Court of Appeals from the Bi-State Administration Building to the Cass County Courthouse, thirty minutes south of Texarkana. The appellate judges now sit in a facility that is not a courthouse.

This does not require rulings against anyone, nor the dismissal of any officer. One single move would place the judiciary back on track and restore dignity to the 6th Court of Appeals. It would also return pride to a small town. There was a time when the District Judge who worked in the courthouse was a local figure, a name known and respected by the people. The last of those was Judge Jack, who was regarded as a celebrity in his own right. These appellate justices, seated in the courthouse, would be received with the same respect.

Prisoners and prosecutions may remain housed at the Justice Center with the District Attorney and the District Judge. The courthouse stands ready for the appellate court, whose work and docket match its scale and character.

The Cass County Courthouse is suited to an appellate docket. The scale of its facilities matches the size of the appellate record, and its stature honors the role of an appellate bench. Restoration of the courthouse to appellate use returns dignity to the judiciary, security to the courthouse, and balance to the county.

## CASS COUNTY SHERIFFS WORKING LOCATION

The Cass County Sheriff now sits in the same administrative complex, his office beside the District Attorney. This proximity is an unacceptable consolidation of authority. A Justice Center is not a Sheriff’s Office. The duties of the Sheriff and the duties of the District Attorney are separated for good reason. The Sheriff is the officer of the court, not the office-mate of the prosecutor. The Sheriff’s duty runs to the courthouse, not to proximity with the prosecutor. He is the officer of the court, not the office-mate of the District Attorney. At present, he protects nothing. The courthouse itself stands abandoned. The Sheriff’s Office is not the county jail, and it is not the county administration building. The Sheriff and the county *still own the building* on the city square that once housed the Cass County Sheriff’s Department. That is his proper station.

If the Supreme Court relocates the 6th Court of Appeals to the Cass County Courthouse, that precedent would extend naturally. The Cass County Judge could return to his intended chambers on the first floor of the courthouse, and the Sheriff could return to his proper office on the square, where his duty is to protect the courthouse.

Such a move restores balance. It separates powers that are now collapsed inside an administration building, and it places each officer back in his intended role. By relocating the appellate court, this Court restores dignity to the judiciary, order to the county, and security to the courthouse.

## FINAL PRAYER FOR RELIEF

The Texas Supreme Court need not determine whether Justice Centers qualify as courthouses. The Constitution already defines the *terms of court* and the *record of court*, and that question ultimately rests with the United States Supreme Court. The condition of consolidated “Justice Centers” is not unique to Texas; it is a national concern.

What rests with this Court is immediate. The duty here is to ensure the safety of the Clerk, to restore security to the courthouse, and to preserve the dignity of the judiciary. This Court now holds the opportunity to return pride back to the Judiciary and the community

Petitioner proceeds with caution. The question is whether it is faster to wait for the Supreme Court of Texas to authorize mitigation, or to proceed directly under federal authority. A Federal Judge in Marshall already works in a courthouse - a real, true-to-God courthouse -and may provide relief without delay.

Accordingly, Petitioner respectfully requests that this Court authorize the 353rd District Judge to issue any permit necessary for immediate mitigation. Time is of the essence.

Petitioner will not wait or rely solely upon this Court to act. The Federal Judge in Marshall remains available to provide emergency relief under federal jurisdiction. Yet Petitioner places this matter before the Supreme Court of Texas first, with respect for its authority and with urgency for resolution.

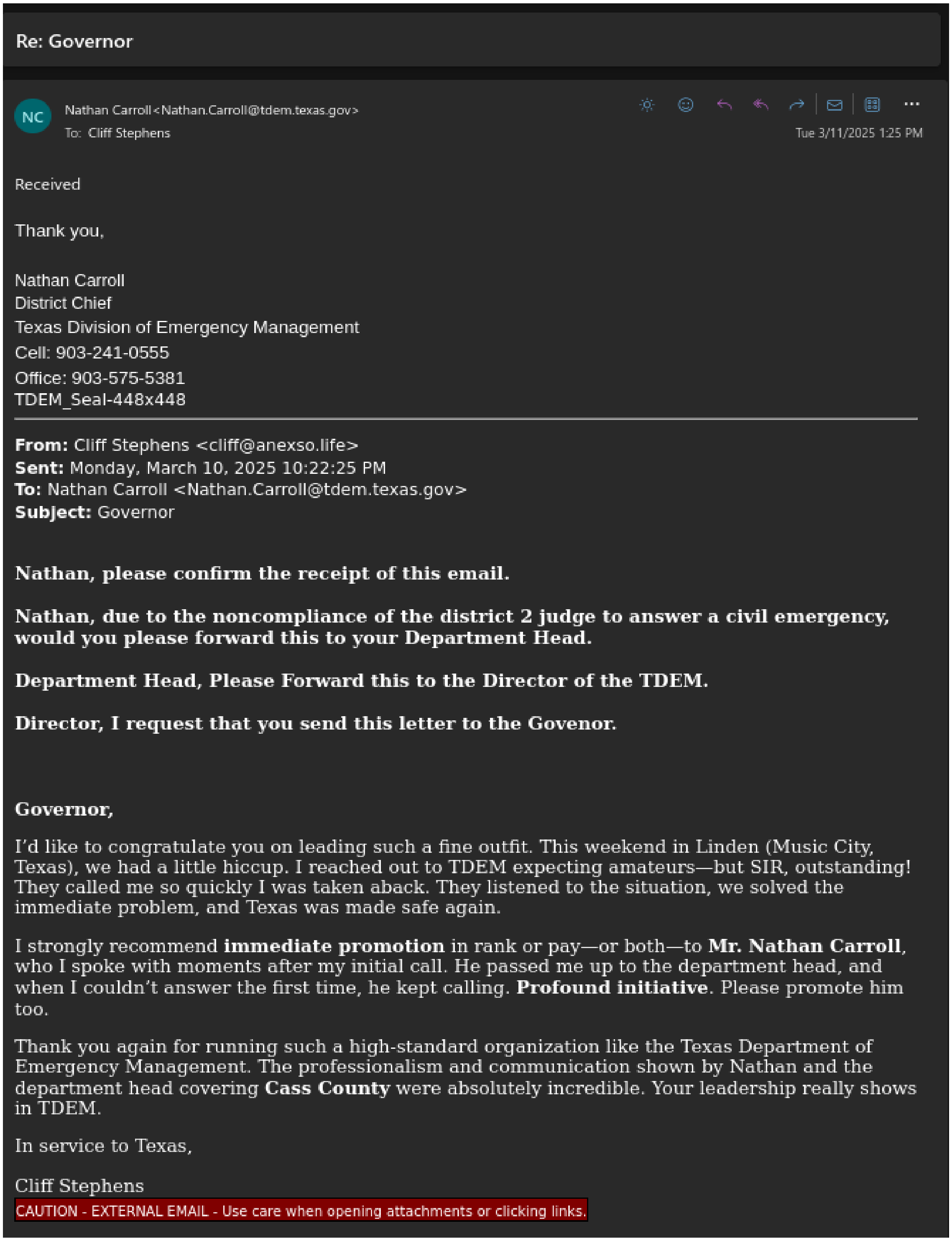
truly yours,

Cliff Stephens

Petioner Pro se

Linden Tx, 75563

EXHIBIT A : MARCH 10th GOVERNORS CHECK



Re: Governor

Nathan Carroll<Nathan.Carroll@tdem.texas.gov>
To: Cliff Stephens

Tue 3/11/2025 1:25 PM

Received

Thank you,

Nathan Carroll
District Chief
Texas Division of Emergency Management
Cell: 903-241-0555
Office: 903-575-5381
TDEM_Seal-448x448

---

**From:** Cliff Stephens <cliff@anexso.life>
**Sent:** Monday, March 10, 2025 10:22:25 PM
**To:** Nathan Carroll <Nathan.Carroll@tdem.texas.gov>
**Subject:** Governor

**Nathan, please confirm the receipt of this email.**

**Nathan, due to the noncompliance of the district 2 judge to answer a civil emergency, would you please forward this to your Department Head.**

**Department Head, Please Forward this to the Director of the TDEM.**

**Director, I request that you send this letter to the Govenor.**

**Governor,**

I'd like to congratulate you on leading such a fine outfit. This weekend in Linden (Music City, Texas), we had a little hiccup. I reached out to TDEM expecting amateurs—but SIR, outstanding! They called me so quickly I was taken aback. They listened to the situation, we solved the immediate problem, and Texas was made safe again.

I strongly recommend **immediate promotion** in rank or pay—or both—to **Mr. Nathan Carroll**, who I spoke with moments after my initial call. He passed me up to the department head, and when I couldn't answer the first time, he kept calling. **Profound initiative**. Please promote him too.

Thank you again for running such a high-standard organization like the Texas Department of Emergency Management. The professionalism and communication shown by Nathan and the department head covering **Cass County** were absolutely incredible. Your leadership really shows in TDEM.

In service to Texas,

Cliff Stephens

CAUTION - EXTERNAL EMAIL - Use care when opening attachments or clicking links.

EXHIBIT A : TRANSCRIBED

Re: Governor

From: Cliff Stephens cliff@anexso.life

Sent: Monday, March 10, 2025 10:22:25 PM

To: Nathan Carroll Nathan.Carroll@tdem.texas.gov

Subject: Governor

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In service to Texas,

Cliff Stephens

---

Nathan Carroll Nathan.Carroll@tdem.texas.gov

To: Cliff Stephens

Tue 3/11/2025 1:25 PM

Received

Thank you,

Nathan Carroll

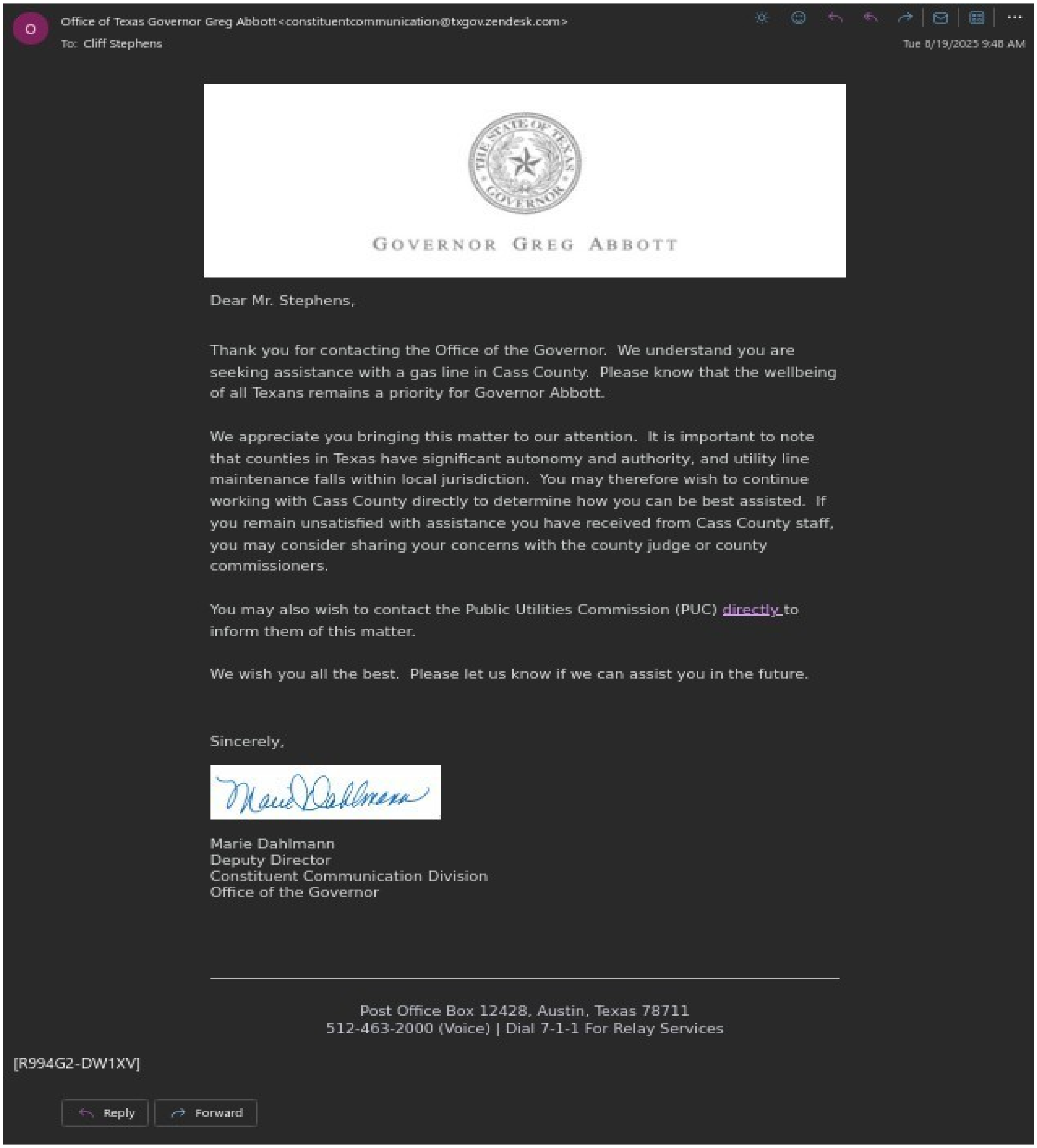
District Chief

Texas Division of Emergency Management

Cell: 903-241-0555

Office: 903-575-5381

EXHIBIT B: Governors Office Response -AUGUST 18th 2025



Office of Texas Governor Greg Abbott<constituentcommunication@txgov.zendesk.com>

To: Cliff Stephens

Tue 8/19/2025 9:48 AM

GOVERNOR GREG ABBOTT

Dear Mr. Stephens,

Thank you for contacting the Office of the Governor. We understand you are seeking assistance with a gas line in Cass County. Please know that the wellbeing of all Texans remains a priority for Governor Abbott.

We appreciate you bringing this matter to our attention. It is important to note that counties in Texas have significant autonomy and authority, and utility line maintenance falls within local jurisdiction. You may therefore wish to continue working with Cass County directly to determine how you can be best assisted. If you remain unsatisfied with assistance you have received from Cass County staff, you may consider sharing your concerns with the county judge or county commissioners.

You may also wish to contact the Public Utilities Commission (PUC) directly to inform them of this matter.

We wish you all the best. Please let us know if we can assist you in the future.

Sincerely,

Marie Dahlmann

Marie Dahlmann
Deputy Director
Constituent Communication Division
Office of the Governor

Post Office Box 12428, Austin, Texas 78711
512-463-2000 (Voice) | Dial 7-1-1 For Relay Services

[R994G2-DW1XV]

EXHIBIT B: Transcribed

OFFICE OF TEXAS GOVERNOR GREG ABBOTT

Dear Mr. Stephens,

Thank you for contacting the Office of the Governor. We understand you are seeking assistance with a gas line in Cass County. Please know that the wellbeing of all Texans remains a priority for Governor Abbott.

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You may also contact the Public Utilities Commission of Texas directly to inform them of this matter.

We wish you all the best. Please let us know how we can assist you in the future.

Sincerely,

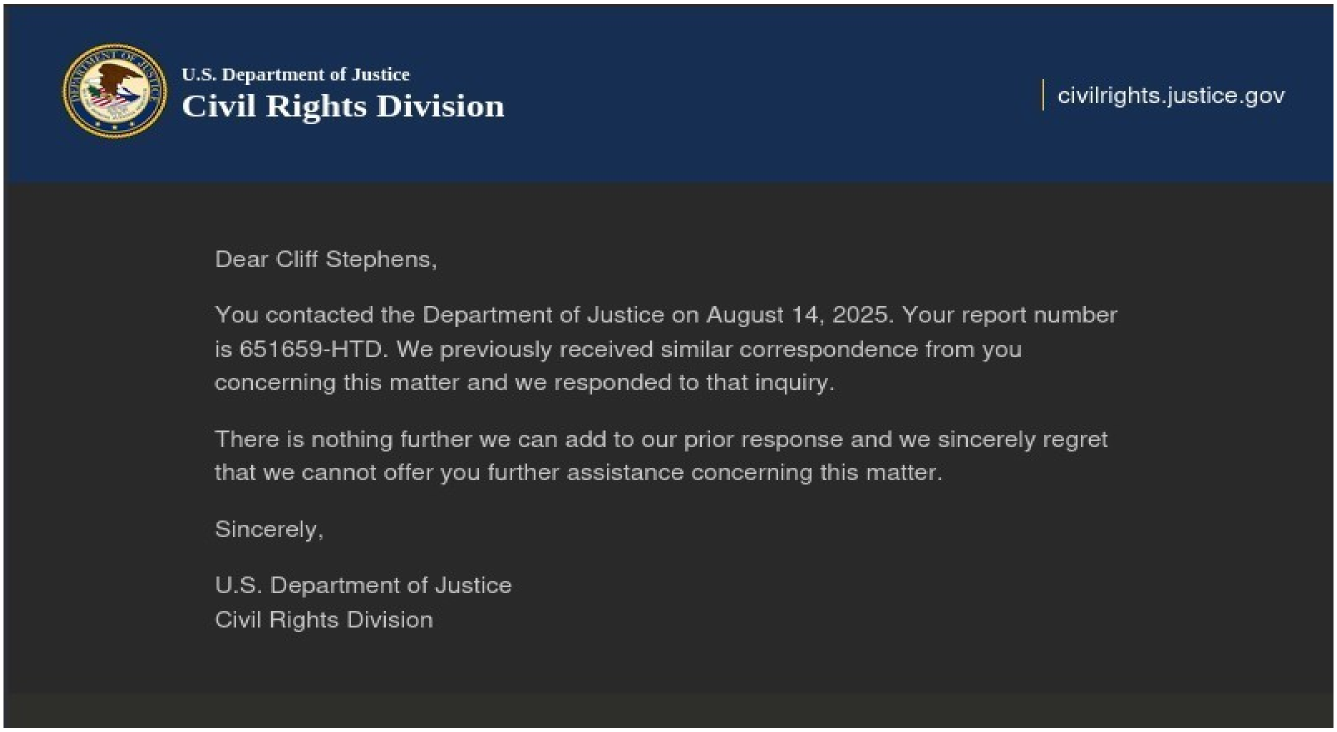
Marie Dahlmann

Deputy Director

Constituent Communication Division

Office of the Governor

EXHIBIT C -DOJ : *ACKNOWLEDGMENT OF THE ANOMALY*



U.S. Department of Justice
**Civil Rights Division**

civilrights.justice.gov

Dear Cliff Stephens,

You contacted the Department of Justice on August 14, 2025. Your report number is 651659-HTD. We previously received similar correspondence from you concerning this matter and we responded to that inquiry.

There is nothing further we can add to our prior response and we sincerely regret that we cannot offer you further assistance concerning this matter.

Sincerely,

U.S. Department of Justice
Civil Rights Division

**EXHIBIT C: TRANSCRIBED**

U.S. Department of Justice

Civil Rights Division
civilrights.justice.gov

Dear Cliff Stephens,

You contacted the Department of Justice on August 14, 2025. Your report number is 651659-HTD. We previously received similar correspondence from you concerning this matter and we responded to that inquiry.

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Sincerely,
U.S. Department of Justice
Civil Rights Division

9/2/2025 5:35 PM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Candy Schmidt

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

Cliff Stephens

PETITIONER

V

TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

and CASS COUNTY

RESPONDENTS

353rd JUDICIAL DISTRICT

# SUPPLEMENTAL EMERGENCY MOTION AND CONDITION REPORT

## TO THE HONORABLE JUDGE OF SAID COURT

### Municipal Acknowledgment by Conduct

On September 2nd, 2025 - the City of Linden commenced full excavation and replacement of the water line adjacent to the courthouse hazard wall. Present on site was the Mayor of Linden, personally overseeing the work. This constitutes direct municipal acknowledgment of the very emergency condition identified in Petitioner's prior filings.

This was not ordinary maintenance. No partial patch, no temporary repair, no test section was attempted. The entire line was excavated and replaced outright. Such action is not consistent with routine operations; it is the corrective measure one undertakes only in the presence of a *known defect.*

Petitioner personally observed the work and spoke directly with one of the subcontractors performing excavation. Under penalty of perjury, Petitioner testifies that he asked:

*"What makes you replace the old pipe?"*

The subcontractor, while in the course of his employment and in the presence of ongoing municipal work, responded plainly:

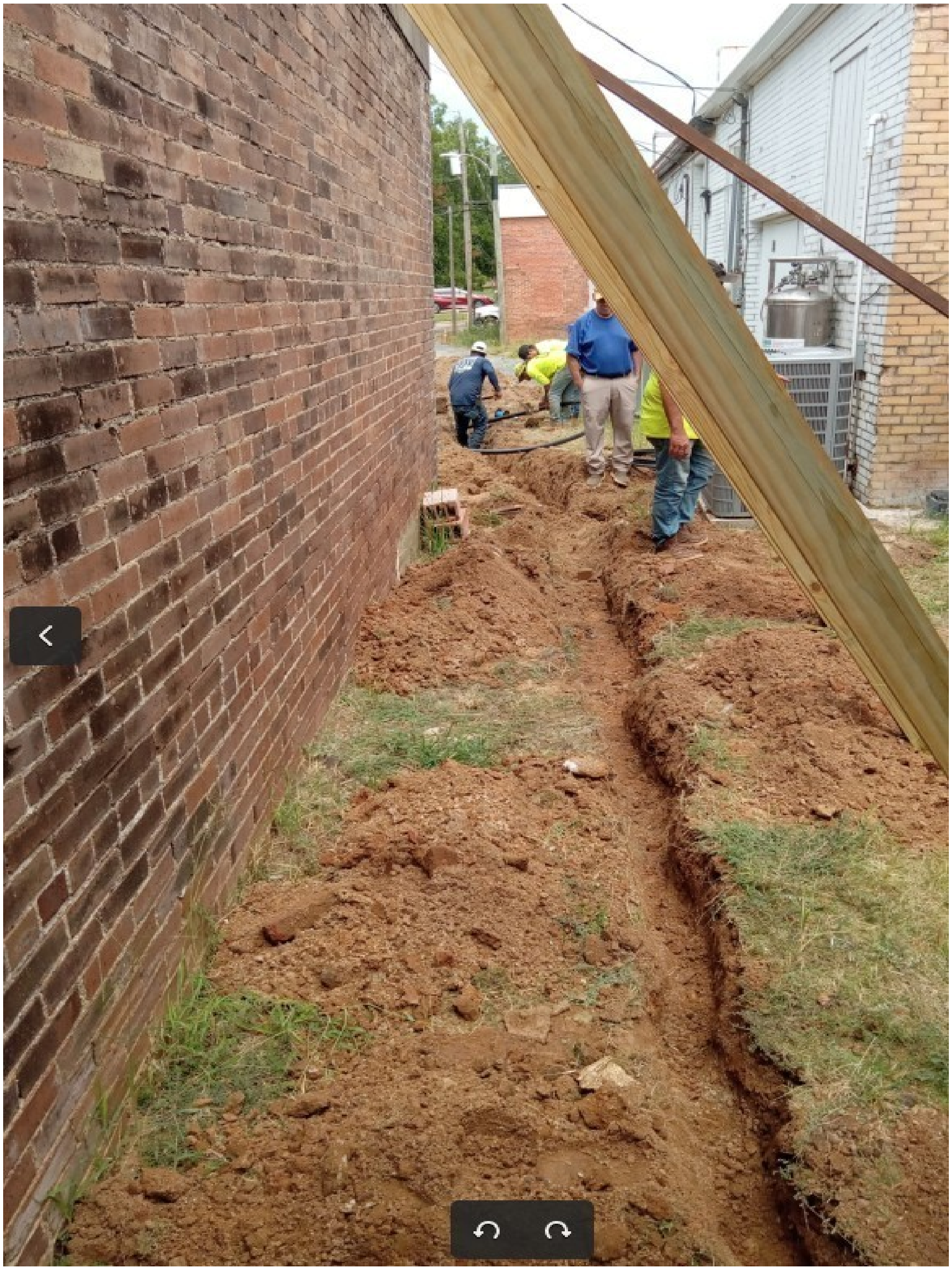
*"Because it was a bad pipe."*

This statement is an admission against interest by an agent of the City and its contractor. It establishes that the infrastructure was not simply aged or preventative in nature, but affirmatively defective. The pipe was bad, and the defect was sufficient to warrant immediate, full-scale replacement.

This exchange corroborates years of many Petitioner's warnings that the line was, "bad". The City, by its own words and conduct, admitted that the hazard existed all along. The replacement validates Petitioner's emergency declaration and demonstrates the systemic failure of local and judicial authorities to address it when first raised.

**EXHIBIT A**

Image depicting City of Linden personnel performing excavation and replacement of the water line adjacent to the courthouse hazard wall, with the Mayor of Linden present on site in a blue shirt.



## OSHA VIOLATIONS AND DOCUMENTATION

The above photograph show workers excavating directly beneath the temporary braces holding the courthouse hazard wall. The soil at this location has already been identified by engineers as unstable. The workers positioned themselves under the very supports intended only to hold a sagging wall in place. This activity created the exact danger that the braces were meant to prevent.

The violation here is the decision to place men under a temporary stabilization device, with full knowledge that the structure was never engineered for excavation. This exposed workers to the possibility of immediate collapse, it tampers with a state recognized emergency that is too been acknowledged by the DOJ

The braces erected by Petitioner were “token supports,” above-ground stabilizers placed only because no permit was granted for engineered structures. This temporary arrangement was never designed to carry structural loads beyond the sag of the wall. It represents the maximum lawful action Petitioner could take without proper access to City-owned easements.

In the event of collapse, the City will likely attempt to shift liability by questioning whether Petitioner’s braces were engineered to standard, despite the fact that Petitioner was explicitly denied a permit to install proper supports in March 2025. This sequence exposes the paradox faced by Petitioner from the beginning: denied permits for lawful measures, yet held responsible for relying on temporary stabilization.

By permitting and overseeing this work, the City exposed its own workers to an imminent collapse hazard. The Mayor of Linden, visible in the photographs in a blue shirt, personally observed men in the trench, positioned under the sagging wall and the temporary braces. His presence establishes that municipal authority possessed direct knowledge of the violation at the highest level of local government.

The proper sequence of events should have been clear:

1. Permit issued.
2. Wall disassembled under controlled conditions.
3. Pipe replaced safely.

Instead, the City reversed the order by excavating beneath a braced wall without notice, without coordination. Petitioner, who had requested permission to install safe supports or to remove the wall entirely, was excluded from any communication regarding the City's intent to trench in this unstable zone.

This failure to coordinate magnified the danger. Workers are placed at risk, and the building itself was further compromised. Excavation beneath temporary supports destabilizes already compromised soil. By choosing to proceed in this manner, the City created conditions that any reasonable authority would regard as highly dangerous.

Further frustration arises from the City's method of execution. The replacement of this line is not a quick intervention but a multi-day operation. For approximately two days, workers will conduct excavation and replacement adjacent to a wall already compromised, with token braces serving as the only visible support. The danger persists throughout the duration of the project, multiplying the exposure of all involved.

This sequence establishes four critical points:

1. Petitioner's braces were never engineered for excavation and cannot represent a lawful stabilization method.
2. The City nevertheless relied upon those braces to proceed with trenching operations.
3. Workers are being placed in jeopardy while the city knows the hazard is present , without communication, and in violation of federal safety standards.
4. By acting in this manner, the City confirmed the accuracy of Petitioner's emergency declaration. The site is unsafe and unstable.

The City, in substance, used Petitioner's temporary supports as justification to excavate under known hazardous conditions. This validates the emergency filing by conduct. *A safe site requires no extraordinary risks.* The decision to proceed under token braces, with the Mayor present, demonstrates beyond doubt that the hazard is real and that safety regulations are being disregarded.

## Permit Denial and Contradiction

The initial emergency declaration submitted in March requested permission to enter the premises and install engineered braces. That request was denied on the false ground that the City did not own the land. This denial was categorical. The Mayor, shown in Exhibit A, now stands over excavation on the very same land the City previously disclaimed. The contradiction is undeniable.

For months Petitioner requested a permit, and each request was ignored or refused. No maps were ever produced, despite repeated requests beginning in March. No authorization was ever given for lawful excavation or engineered stabilization. The only legal option available to Petitioner was the *token braces* now visible in the photographs, temporary measures never intended to hold excavation. These are the same braces under which City workers now stand.

The City now claims ownership, digs without coordination, and exposes workers to collapse while still denying Petitioner the permit to resolve the matter through engineered supports or lawful removal.

This sequence demonstrates deliberate obstruction of Petitioner’s lawful request, followed by unilateral action that created greater danger. The denial of permits has left Petitioner constrained to temporary measures, while the City proceeds as if no permits were ever required.

## Judicial Silence vs. Executive Action

The judiciary has remained silent for more than two hundred days. The Cass County Judge has not acknowledged the emergency. The Fifth District Judge has taken no action. The Sixth Court of Appeals dismissed the filing in under eighteen hours, mislabeling it as something it never claimed to be and refusing to consider the request on its merits. At no point has any judge used the word “emergency.” Each silence has prolonged the emergency itself.

During this time the City of Linden acted. By replacing the defective line, the City validated Petitioner’s claim by conduct. The record therefore shows a direct contrast: the executive branch recognized the hazard and acted, while the judicial branch remained silent.

At any moment the Cass County Judge could have issued, by mail or by email, the permit or permission requested to mitigate the danger. The request was made under an emergency declaration. No such relief was granted. Instead, responsibility was passed from one level of the judiciary to the next.

The Cass County Judge knew the Fifth District Judge would take no action, as both maintain offices in the Cass County Administration Building, colloquially called the Justice Building. The Fifth District Judge knew he need not respond, as any appeal to the Sixth Court of Appeals would be dismissed in the same manner. The Sixth Court of Appeals and the Fifth District Judge work side by side in the Texarkana Administration Building, colloquially known as the Bi-State facility but in fact an administrative building.

This sequence demonstrates how judicial silence has become systemic. Judges now work side by side in administrative buildings rather than courthouses. Separation of powers requires more than separate titles; it requires that courts sit in courthouses, not in administration buildings. Failure to respect this principle creates the very pattern now observed: silence, dismissal, and mislabeling, while hazards remain unmitigated.

## Separation of Powers and Liability

The Mayor’s presence at the excavation establishes personal knowledge at the highest municipal level. The City undertook excavation and replacement of the water line without notifying Petitioner, without securing a permit, and in open violation of OSHA excavation standards. This was not an oversight. It was a conscious decision to act unilaterally while denying Petitioner the lawful ability to install engineered supports.

Should collapse occur, liability cannot rest on Petitioner. Liability falls upon those who had notice of the emergency, who had the ability to authorize lawful mitigation, and who failed to do so. That responsibility now attaches both to the City of Linden, which acted recklessly, and to the judiciary, which sat silent despite knowledge of the hazard.

This record demonstrates the breakdown of separation of powers. The executive branch, through the Mayor, acknowledged the hazard by conduct and acted outside lawful process. The judicial branch, through the Cass County Judge, the Fifth District Judge, and the Sixth Court of Appeals, refused to act on repeated emergency requests. The 353rd District Court and the Supreme Court of Texas now carry the record forward. The federal government, through the Department of Justice, has acknowledged the anomaly, confirming that this matter no longer rests solely within the boundaries of state discretion.

Separation of powers exists to prevent consolidation of authority and to ensure accountability. Here, that safeguard has collapsed. The City acts outside the law while the judiciary refuses to exercise its duty. No branch checks the other. Each passes responsibility along, creating collective failure. In such circumstances, liability for consequence becomes collective as well.

This Court cannot permit further ambiguity. The record now shows:

1. The Mayor acknowledged the hazard by standing over excavation.
2. The City undertook action without lawful permit or notice.
3. The judiciary deferred responsibility at every level.
4. The federal government has logged the anomaly.

Where separation of powers collapses, responsibility merges. If consequence occurs, accountability attaches to all who were silent or complicit.

## Prayer and Escalation

Petitioner now places before this Court the evidence of Exhibit A. The City of Linden, through its own conduct, acknowledged the emergency and replaced the defective water line. The Mayor of Linden personally observed this work, confirming official knowledge at the highest municipal level.

This record validates Petitioner’s emergency declaration. It confirms that permits and coordination were wrongfully denied and it establishes that Petitioner acted lawfully within limits while the City proceeded recklessly. Petitioner could never have installed engineered stabilization without a permit, as excavation on City property would have constituted trespass. Exhibit A documents Petitioner’s request to the City Manager for permission to enter the easement and install proper engineered supports. That request was denied outright.

Exhibit B, the Civil Emergency Declaration of March 6, 2025, renewed this request in writing, filed with the Cass County Clerk and directed to the Cass County Judge. Authorization was never provided at any time.

The braces now in place are token braces erected only because neither permit nor utility map was given. They were never intended as permanent or engineered supports. They represent the outer boundary of what Petitioner could accomplish lawfully under the circumstances. The City has now acted in contradiction by entering the same land, replacing the water line, and proceeding under those token braces while continuing to deny Petitioner the ability to install engineered structures.

Petitioner respectfully prays that this Court authorize the 353rd District Judge to issue permits for immediate engineered stabilization or for lawful removal. Petitioner further prays that this Court recognize that the City’s own conduct has confirmed the hazard, leaving judicial silence without defense. Petitioner further prays that this Court record Exhibit D as acknowledgment by municipal authority, triggering escalation should state relief again be withheld.

Submitted,

Cliff Stephens

Petioner Pro Se

Linden Tx, 75563

**EXHIBIT B**

## Original Transcript of Declared Emergency

Pages 12–14, Volume I of the Emergency Record

### Excerpt: Page 12

Initial Emergency Declaration and Discussion with City Manager (March S--6, 2025)

This exhibit documents the Petitioner's first attempt to resolve the structural emergency at 122 W. Houston Street through the City of Linden. Petitioner met in person with City Manager Stephen Barnes, presented a forensic engineering report confirming imminent collapse, and requested permission to install temporary structural supports.

The City Manager acknowledged the emergency. However, no action was taken, and the City did not provide any written authorization, denial, or follow up. This meeting represents the point at which the emergency could have been resolved at the local level-but was not.

Mr. Barnes was provided with this summary in writing following the meeting and accepted it as accurate. He holds the original signed copy and raised no objections to its content.

Petitioner formally retracts any positive or good faith statements made in the attached letter regarging Mr. Barnes or the City of Linden, as subsequent inaction has rendered those sentiments no longer applicable.

**Subject: Follow-Up on 122 W. Houston St. Discussion - March 5, 2025**

Dear Stephen Barnes

I appreciate you taking the time to meet with me both at your office and on-site at 122 W. Houston St. I wanted to follow up with a brief summary of oudliscussion to ensure we are aligned moving forward.

At Your Office:

- I provided you with an engineering report conducted by a forensic structural engineer, which stated that the collapse of this building is imminent and that surrounding conditions are the most probable cause.
- I verbally declared a Civil Emergency due to imminent structural concerns and potential risks to surrounding properties.

At the Property:

- We discussed the safest method to secure the building by bracing it, but we were unable to determine who owns the easement where bracing would need to be temporarily set, nor did we find whose permission I must obtain before proceeding.
- You confirmed via voice call that the city does have a water line running beneath or in the vicinity of the building, though we have not yet produced a map verifying its exact location.
- We confirmed that water is actively running through this pipe.
- I raised concerns about the possibility of the pipe leaking. You responded that if it were leaking, water would be visible.
- You stated the possibility that water runoff / drainage might be the reason for buildings structural damage.
- You asked me who would be liable if the building collapsed.
- I asked the city to begin digging exploring their pipe to confirm it is not leaking. You said

you would try to get men out in the morning (03/06/2025) to begin the exploration.

Please let me know if I've misstated or misunderstood anything, I want to ensure an accurate record of our conversation. If you feel something is misrepresented, please correct the-record and provide me with a copy - if nothing is given then I will assume what's here is true.
Thanks again for your time and attention to this matter.
Sincerely,
Cliff Stephens

Given these discussions, I find the City Manager to be operating with the utmost professionalism and good faith - he has shown the since of urgency needed to resolve the situation - I have faith that u~der his leadership the city will do that which is needed to verify their infrastructure is operating correctly.

**EXHIBITB (Page 14, VOL I)**

## Emergency Declaration Submitted March 6, 2025

This exhibit contains the emergency declaration submitted by the Petitioner on March 6, 2025, con~eming the.structural instability and collapse risk at 122 W. Houston Street in Linden, Texas. The declaration was originally filed with local authorities and was later returned to the Petitioner by mail without action or acknowledgment. Petitioner then hand-delivered the original document to : the Cass County Clerk with the explicit request that it be delivered directly to the Cass County Judge.

As of the date of this filing, no response has been issued, no authorization granted, and no formal process initiated.

Attached to this exhibit is a copy of the emergency declaration, the supporting forensic engineering report, and the professional credentials of the licensed structural engineer.CIVIL

# EMERGENCY DECLARATION

Filed with the Cass County Clerk: Amy L. Varnell

Date: 03-06-2025

Filed by: Cliff Stephens

Property Address: 122 West Houston Street, Linden, TX 75563

Subject: Request for Immediate Permission to Install Structural Anchors & Investigation of Waterline Due to Public Safety Hazard

I, Cliff Stephens, the owner of the property located at 122 West Houston Street, Linden, TX, am formally declaring a civil emergency.

The latest engineering report indicates that the surrounding city infrastructure may be contributing to the structural shifting (see attached report). Over the past year alone, the foundation of my building has shifted significantly, with over four inches of movement in various directions. The brick wall is actively leaning and continues to worsen every day.

I first brought this matter to the attention of the City of Linden in October, after owning the building for approximately six months and witnessing firsthand movement of the structure. Since then, the situation has escalated significantly, and competent, unbiased engineers have warned me that the collapse of this building could happen at any time.

The greatest immediate danger is fire, as the wall in question is at risk of falling onto an _ assortment of electrical infrastructure. The businesses of Conn's Auto, CBD Temptations, and Fire and Knives Restaurant are most atrisk if structural failure occurs.

Request for Immediate Action:

I have previously asked the city for guidance on mitigating this threat but have received no response from any representative.

Today, I am requesting immediate permission to dig and install three (3) 36-inch by 36-inch concrete anchors in the easement to prop up this building and prevent further collapse, thereby mitigating the threat to both property and public safety.

At this time, I have not been given permission, nor have I been provided with any guidance as to where I can or cannot dig. This lack of response is preventing me from taking action to stabilize the structure and protect the public from potential harm.

Legal Notice to the City:

- The city has prior knowledge of issues in this area, having replaced a portion of rusted pipe nearby.
- If this water line is contributing to ongoing structural damage, further city inaction will result in legal consequences.
- If no action is taken, I will pursue legalremedies to compel the city to fuHlll its obligation to fully investigate their waterline.

This is a public safety emergency, and I require immediate authorization to proceed with stabilization efforts without further delay.

Signed:

Cliff Stephens

Phone: 903-665-0685

Email: cliff@anexso.life

9/15/2025 12:00 AM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Ana Lopez

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

Cliff Stephens

PETITIONER

v.

TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

and CASS COUNTY

RESPONDENTS

353rd JUDICIAL DISTRICT

# Declaration of Travis County Contradiction

**TO THE HONORABLE JUDGE OF SAID COURT:**

Comes now Petitioner Stephens and submits this supplemental condition report under the emergency filing recognized in this cause. Petitioner continues to act under the emergency condition, with urgency preserved and privileges attaching, and places before the Court additional findings and observations necessary for a full and accurate record.

**Exhibit A:** Petitioners Urgent Email Submission

Addressed to the Duty Judge of the 201st Judicial District Court and the Presiding Judge of the 353rd District Court

Dated: Tuesday, June 17 , 2025, 3:05 P.M.

Dear Duty Judge,

Please find attached an emergency filing titled *Emergency Motion for Protective Entry and Limited Immunity*. This motion has also been submitted to the 353rd District Court, which holds the underlying emergency cause (D-1-GN-25-002397).

However, due to the urgent and time-sensitive nature of the threat described - involving structural collapse and an active gas line - Petitioner respectfully submits this matter to your court in your current capacity as Duty Judge, with the intent that whichever court reviews the filing first may act to provide immediate relief.

The request is narrowly tailored: Petitioner seeks only limited legal protection to enter the shared easement and begin emergency demolition of a dangerously unstable wall. This request is not about assigning blame or resolving broader jurisdictional issues - it is about preserving life and preventing imminent physical harm.

Time is of the essence. The wall is continuing to shift with each rainfall. Petitioner has already installed temporary bracing without permission out of necessity. If corrective action is not taken, collapse and gas ignition remain a real and immediate danger.

Thank you for your time and attention.

**Exhibit B:** Response from the Duty Judge (201st Judicial District Court)

Dated: Friday, June 20 , 2025, 10:59 A.M.

201 Submission<201.Submission@traviscountytx.gov>

Cliff Stephens

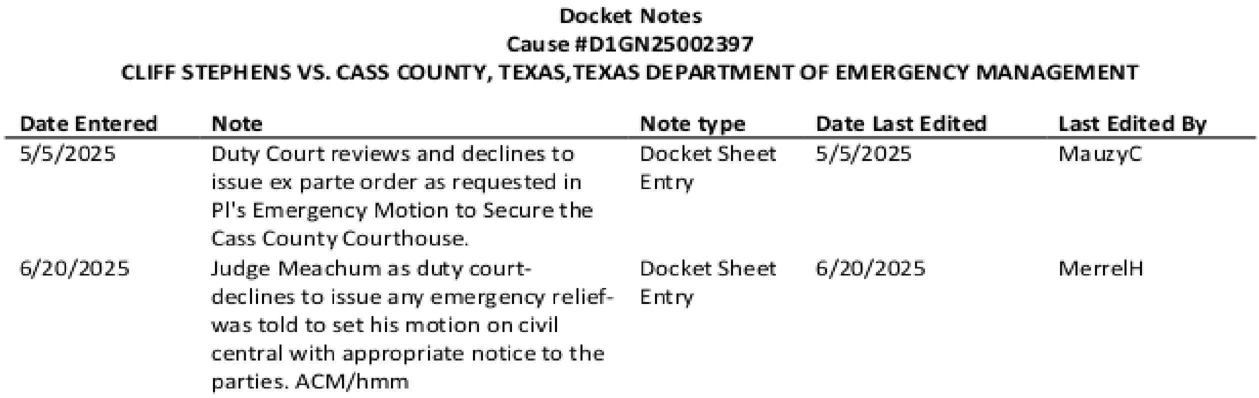
Judge Meachum reviewed your materials, please set your motion on the central docket with appropriate notice to the parties/attorneys. Thank you.

201st Judicial District Court of Travis County

Travis County Civil and Family Court Facility
1700 Guadalupe St., Courtroom 12B
Austin, Texas 78701

P.O. Box 1748
Austin, Texas 78767

**Exhibit C: Screenshot of 353rd District Court Docket Notes**



**Docket Notes**
**Cause #D1GN25002397**
**CLIFF STEPHENS VS. CASS COUNTY, TEXAS,TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT**

| Date Entered | Note | Note type | Date Last Edited | Last Edited By |
|---|---|---|---|---|
| 5/5/2025 | Duty Court reviews and declines to issue ex parte order as requested in PI's Emergency Motion to Secure the Cass County Courthouse. | Docket Sheet Entry | 5/5/2025 | MauzyC |
| 6/20/2025 | Judge Meachum as duty court- declines to issue any emergency relief- was told to set his motion on civil central with appropriate notice to the parties. ACM/hmm | Docket Sheet Entry | 6/20/2025 | MerrelH |

Exhibit C Transcribed :

| Date Entered | Note | Note type | Date Last Edited | Last Edited By |
|---|---|---|---|---|
| 5/5/2025 | Duty Court reviews and declines to issue ex parte order as requested in PI’s Emergency Motion to Secure the Cass County Courthouse. | Docket Sheet Entry | 5/5/2025 | MauzyC |
| 6/20/2025 | Judge Meachum as duty court – declines to issue any emergency relief – was told to set his motion on civil central with appropriate notice to the parties. ACM/hmm | Docket Sheet Entry | 6/20/2025 | MerrelH |

## TRAVIS COUNTY CONTRADICTION

Petitioner places into record the events recorded on June twentieth. The first contradiction arises through the emergency communication sent from the 201st District Court. The message carried only an auto signature without personal authorship. Under emergency condition correspondence requires ownership and accountability. Emergency communication without a responsible signatory loses validity, for it carries weight during an active state recognized emergency effort. Absence of authorship creates a breach.

The second contradiction rests in the conflict between the outward email and the internal docket. The email told petitioner that Judge Meachum reviewed the materials and directed petitioner to place the motion upon the central docket with notice to the parties. The docket entry records something different. It states Judge Meachum, sitting as duty court, declined emergency relief and was told to move the matter to the civil central docket with notice. On the same date one message suggested continuation while the other record documented denial. To petitioner the communication appeared to preserve the emergency condition, while the internal entry extinguished it. This dual record represents recognition followed by dismissal without reasoning, a contradiction that undermines fair process.

The docket records the duty judge “was told” how to act on petitioner’s emergency filing. Such language erases the appearance of judicial independence. A district judge is expected to exercise discretion through personal judgment. When the record admits the judge “was told,” authority appears transferred elsewhere. This creates a shadow decision maker outside the bench. The record already contains reference to Judge Waldrip, who was addressed directly regarding petitioner’s request for a permit to enter. If Judge Waldrip instructed the duty judge, the record proves he received notice of the emergency condition and chose silence while the downgrade occurred. If he did not instruct, then another official did, which raises the further question of who carries the weight of this decision.

The secondary question now arises. Is the duty judge capable of ruling with independence. How many times has this duty judge been told what to do rather than speak in their own voice. What other decisions are issued through instruction rather than judgment. A duty judge who records being told has already surrendered independence of the bench.

Petitioner does deny any suspicion regarding mischief by the 201st Court. The record demonstrates a larger condition in which negligence continues to produce negligence. Direction came from outside the duty bench, and the instruction to dismiss the emergency without reasoning created further negligence. Responsibility rests upon the official who gave direction, since a bench that records it was told to act has already conceded independence.

The response required three days. The question stands whether those days reflected deliberation or whether the duty judge waited for instruction. If a judge cannot reach a decision without guidance, then the office loses purpose. The emergency management system remains stronger than such delay. Judges may falter, governors may fail, the system continues. It will move through hesitation, it will move through silence, it will move through contradiction. The emergency management system requires neither governor nor judge to remain effective.

## Petitioner’s Note to the 201st District Court

Petitioner requests assurance that the 201st District Court is exercising its own judgment and not acting under the direction of unseen authority. The docket reflects that the Duty Judge “was told” how to handle petitioner’s emergency filing. A judge “told” what to do appears less as a court of law and more as a *hostage to instruction*.

*Petitioner requests assurance that the 201st District Court is exercising its own judgment and is not acting under duress or the direction of unseen authority. The docket reflects that the Duty Judge “was told” how to handle petitioner’s emergency filing. A judge “told” what to do appears less as a court of law and more as a hostage to instruction.*

If the 201st is acting independently, confirm it upon the record. If the court is acting under instruction from others, petitioner suggests a safe word for candor. Our safe word shall be *apple.* The court need not explain, nor answer yes or no. If instruction has replaced judgment, say, *apple.*

### ***Request for Pattern Disclosure***

Petitioner intends to seek a public information request to determine how many times the phrase *"was told to"* has been recorded in docket notes of the Travis County District Courts. This inquiry is necessary to establish whether the instruction recorded in petitioner's case was an isolated irregularity or part of a broader practice in which judges record themselves as acting under direction rather than exercising independent judgment. Either result bears directly upon the integrity of judicial process under the emergency condition.

## LOSS OF CONFIDENCE DECLARATION

Petitioner declares a loss of confidence in the 353rd District Court to provide emergency relief. The record reflects contradiction, delay, and surrender of independence. A court that records its judge "was told" what to do has abandoned the duty of judgment. By permitting unsigned communication outward while recording denial inward, the court has disqualified itself.

The emergency condition remains active. Under that condition, petitioner now calls upon the clerks of the court in their emergency capacity. If any clerk reviewing this record recognizes that another forum may provide swift resolution, that clerk is authorized to transmit this record forward under the emergency condition. Such an act is faithful, proper, and protected. The duty to move the record belongs to any hand willing to preserve life and law, and such service is welcomed and expected.

At this moment, any Texas judge who receives this case holds at their discretion the emergency privileges that the Governor, through silence and inaction, has forfeited. Recognition of the emergency condition is recognition of the privileges.

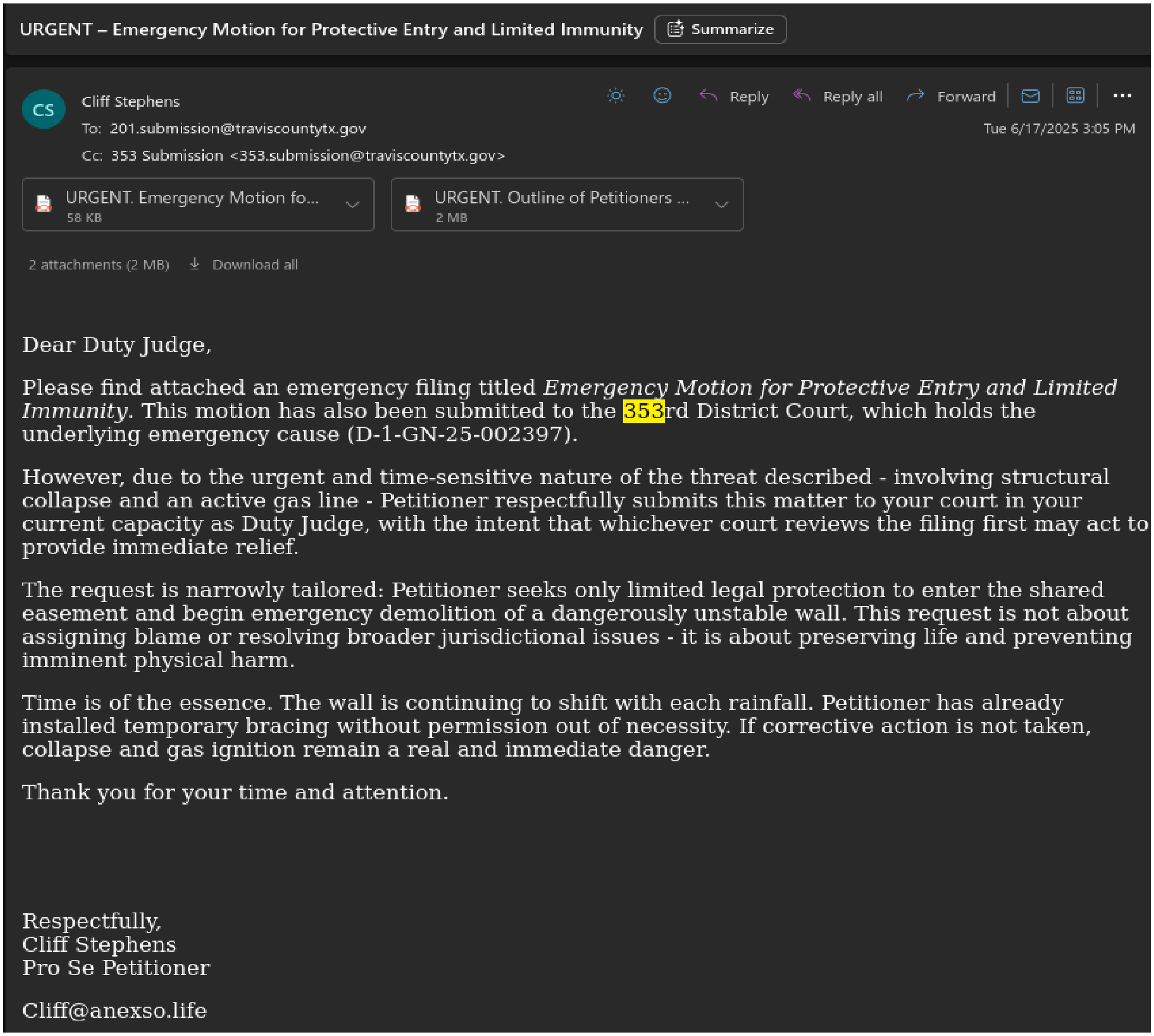
Submitted

Cliff Stephens

Petitioner Pro se

Linden Tx, 75563

Exhibit A: Screenshot



URGENT – Emergency Motion for Protective Entry and Limited Immunity

Cliff Stephens
To: 201.submission@traviscountytx.gov
Cc: 353 Submission <353.submission@traviscountytx.gov>

Tue 6/17/2025 3:05 PM

Dear Duty Judge,

Please find attached an emergency filing titled *Emergency Motion for Protective Entry and Limited Immunity*. This motion has also been submitted to the 353rd District Court, which holds the underlying emergency cause (D-1-GN-25-002397).

However, due to the urgent and time-sensitive nature of the threat described - involving structural collapse and an active gas line - Petitioner respectfully submits this matter to your court in your current capacity as Duty Judge, with the intent that whichever court reviews the filing first may act to provide immediate relief.

The request is narrowly tailored: Petitioner seeks only limited legal protection to enter the shared easement and begin emergency demolition of a dangerously unstable wall. This request is not about assigning blame or resolving broader jurisdictional issues - it is about preserving life and preventing imminent physical harm.

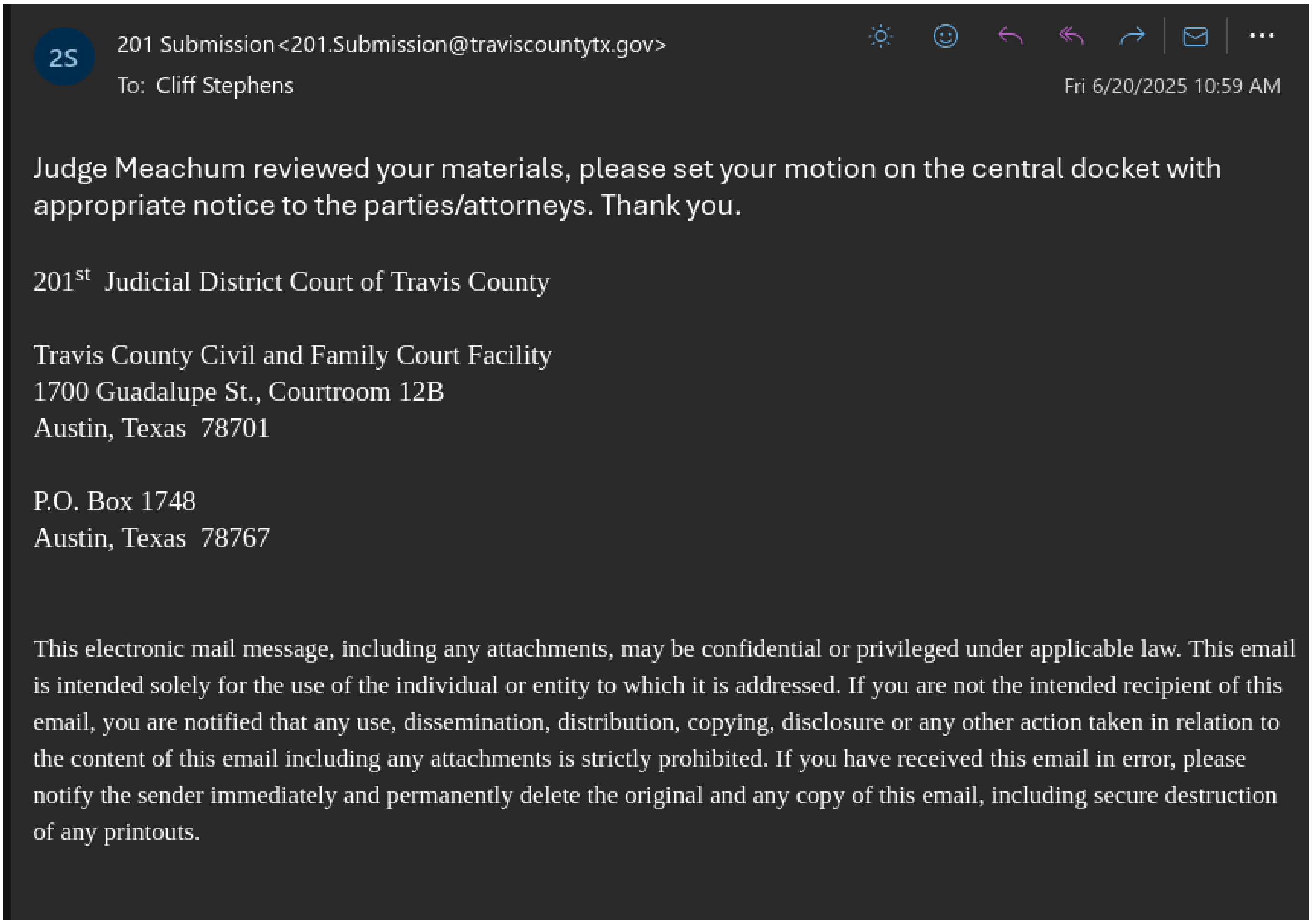
Time is of the essence. The wall is continuing to shift with each rainfall. Petitioner has already installed temporary bracing without permission out of necessity. If corrective action is not taken, collapse and gas ignition remain a real and immediate danger.

Thank you for your time and attention.

Respectfully,
Cliff Stephens
Pro Se Petitioner

Cliff@anexso.life

Exhibit B: Screenshot



201 Submission<201.Submission@traviscountytx.gov>
To: Cliff Stephens
Fri 6/20/2025 10:59 AM

Judge Meachum reviewed your materials, please set your motion on the central docket with appropriate notice to the parties/attorneys. Thank you.

201st Judicial District Court of Travis County

Travis County Civil and Family Court Facility
1700 Guadalupe St., Courtroom 12B
Austin, Texas 78701

P.O. Box 1748
Austin, Texas 78767

This electronic mail message, including any attachments, may be confidential or privileged under applicable law. This email is intended solely for the use of the individual or entity to which it is addressed. If you are not the intended recipient of this email, you are notified that any use, dissemination, distribution, copying, disclosure or any other action taken in relation to the content of this email including any attachments is strictly prohibited. If you have received this email in error, please notify the sender immediately and permanently delete the original and any copy of this email, including secure destruction of any printouts.

TO THE HONORABLE JUDGE OF SAID COURT:

Comes now Petitioner Stephens to provide a condition report for the emergency on this day September 12th, 2025; for the week of September 8th.

*No further communication from the city or judiciary this week regarding the resolution of the emergency condition, ignorance continues.*

# STATEMENT ON CITY COUNSEL’S CONTRADICTIONS

Within a span of ten days, the City of Linden’s legal counsel, Amanda Davis, took three incompatible positions concerning petitioner’s emergency record:

- June 30, 2025 (VOL I, pg. 337): Davis states in writing, *“This firm represents the City of Linden regarding the above-referenced matter.”* She closes petitioner’s June 16 request as complete.
- July 1, 2025 (VOL I, pg. 344): Davis reverses course, writing, *“I am solely responsible for processing the City’s public information requests. I, nor the firm, represent the City in the matter you reference below.”*
- July 9, 2025 (VOL I, pg. 355): Davis again signs as counsel, this time directing correspondence to the Office of the Attorney General, asserting representation of the City, and invoking the litigation exception in an effort to withhold records tied to petitioner’s emergency filing.

In the span of one week Davis first appeared as spokesperson for the City, then disclaimed involvement, and then re-emerged as counsel seeking to suppress information connected to this emergency.

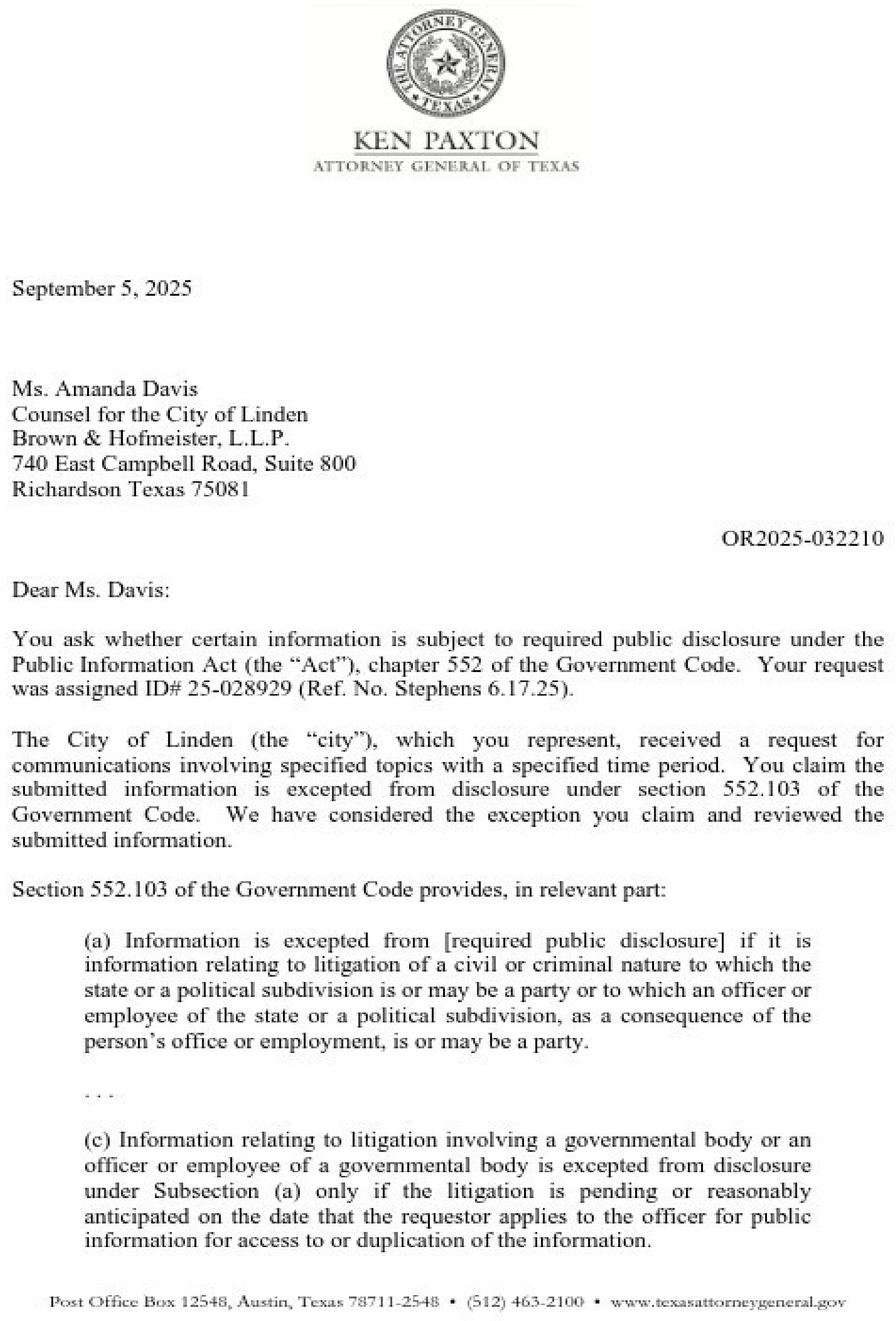
The City and its counsel will go on record to provide materials that they believe absolve them of liability, and they will answer narrow requests that pose no risk. But they will not issue a *permit*, and they continue to maintain that the land in question does not belong to them. Petitioner perceives that position to be a misjudgment. Regardless, the emergency management system will not take Amanda Davis’s contradictions, or the City’s denial of ownership, any more seriously than it takes the failures of the Governor.

Cliff Stephens

Petition Pro se

Linden Tx, 75563

EXHIBIT A: Attorney General's Office Response



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

September 5, 2025

Ms. Amanda Davis
Counsel for the City of Linden
Brown & Hofmeister, L.L.P.
740 East Campbell Road, Suite 800
Richardson Texas 75081

OR2025-032210

Dear Ms. Davis:

You ask whether certain information is subject to required public disclosure under the Public Information Act (the "Act"), chapter 552 of the Government Code. Your request was assigned ID# 25-028929 (Ref. No. Stephens 6.17.25).

The City of Linden (the "city"), which you represent, received a request for communications involving specified topics with a specified time period. You claim the submitted information is excepted from disclosure under section 552.103 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

Section 552.103 of the Government Code provides, in relevant part:

> (a) Information is excepted from [required public disclosure] if it is information relating to litigation of a civil or criminal nature to which the state or a political subdivision is or may be a party or to which an officer or employee of the state or a political subdivision, as a consequence of the person's office or employment, is or may be a party.
>
> . . .
>
> (c) Information relating to litigation involving a governmental body or an officer or employee of a governmental body is excepted from disclosure under Subsection (a) only if the litigation is pending or reasonably anticipated on the date that the requestor applies to the officer for public information for access to or duplication of the information.

Gov't Code § 552.103(a), (c). The governmental body claiming section 552.103 has the burden of providing relevant facts and documents sufficient to establish the applicability of section 552.103 to the information it seeks to withhold. To meet this burden, the governmental body must demonstrate: (1) litigation was pending or reasonably anticipated on the date of its receipt of the request for information, and (2) the information at issue is related to that litigation. *See Univ. of Tex. Law Sch. v. Tex. Legal Found.*, 958 S.W.2d 479 (Tex. App.—Austin 1997, orig. proceeding); *Heard v. Houston Post Co.*, 684 S.W.2d 210 (Tex. App.—Houston [1st Dist.] 1984, writ ref'd n.r.e.). Both elements of the test must be met in order for information to be excepted from disclosure under section 552.103. *See* Open Records Decision No. 551 at 4 (1990).

Although you claim the information at issue is protected by section 552.103 of the Government Code, we find you have failed to demonstrate the city was a to any litigation which was pending on the date the city received the request for information. Thus, we find you have failed to demonstrate the applicability of section 552.103 to the information at issue. Therefore, the city may not withhold any portion of the submitted information under section 552.103 of the Government Code. As you raise no further exceptions to disclosure, the city must release the submitted information.

This letter ruling is limited to the particular information at issue in this request and limited to the facts as presented to us; therefore, this ruling must not be relied upon as a previous determination regarding any other information or any other circumstances.

This ruling triggers important deadlines regarding the rights and responsibilities of the governmental body and of the requestor. For more information concerning those rights and responsibilities, please visit our website at https://www.texasattorneygeneral.gov/open-government/members-public/what-expect-after-ruling-issued or call the OAG's Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Public Information Act may be directed to the Cost Rules Administrator of the OAG, toll free, at (888) 672-6787.

Sincerely,

Jason Stevens
Assistant Attorney General
Open Records Division

JS/tb

Ref: ID# 25-028929

c: Requestor

10/20/2025 12:00 AM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Norma Ybarra

CAUSE NO. D-1-GN-25-002397
IN THE DISTRICT COURT OF
TRAVIS COUNTY, TEXAS
Cliff Stephens
PETITIONER
v.
TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT
and CASS COUNTY
RESPONDENTS
353rd JUDICIAL DISTRICT

# FINAL SUPPLEMENTAL FILING:
# EVIDENTIARY RECORD OF SYSTEMIC NONEXECUTION AND PROCEDURAL AVOIDANCE

*Filed in Support of Federal Due Process Claim under 42 U.S.C. §1983*

**I. INTRODUCTION AND PURPOSE**

**II. BACKGROUND AND PROCEDURAL HISTORY**

1. Origin of the Emergency Petition
2. Transfer and Oversight Status within Travis County
3. Overview of Cass County Structural and Procedural Deficiencies

**III. DOCUMENTARY RECORD**

1. The Immaculate Authentication
2. Exhibit A-1 March 11, 2025 Commissioners Court Meeting Minutes
3. Exhibit A-2 March 11, 2025 Commissioners Court Meeting Minutes (Page 2)
4. Exhibit A-3 March 11, 2025 Commissioners Court Meeting Minutes (Final Page with Signature of County Judge R. Travis Ransom)
5. Exhibit B Unexecuted Order: Future Meetings at the Historic Courthouse (March 11, 2025)
6. Exhibit D Regular Agenda Item 3: Approval to Dig in County Right-of-Way (Signed by County Judge R. Travis Ransom)
7. Exhibit E Regular Agenda Item 1: Proclamation Declaring March 2025 as Developmental Disabilities Awareness Month (Signed March 11, 2025)

**IV. PUBLIC INFORMATION REQUEST SEQUENCE**

1. Public Information Request (May 12, 2025)
2. Second Request and Response (June 2025)
3. Procedural Stress-Test: ADA Compliance Inquiry
4. Exhibit F Correspondence from County Judge R. Travis Ransom (June 26, 2025) – Only Direct Communication Issued by Presiding Authority

**V. FINDINGS AND ANALYSIS**

1. Pattern of Selective Execution
2. Pattern of Procedural Avoidance
3. Constructive Abandonment of the County Seat
4. Absence of Lawfully Convened County Government

**VI. FEDERAL DUE PROCESS IMPLICATIONS**

1. Deprivation of Lawful Venue and Access to Redress
2. Governance by Administrative Fiction – County in Name Only
3. Application of 42 U.S.C. § 1983

## VII. REQUESTED RELIEF AND RECOMMENDATION TO THE COURT

1. Judicial Recognition of Systemic Nonexecution
2. Certification of Record for Federal Consideration
3. Direction to State Respondents to Cure or Show Cause

## VIII. CONCLUSION

## I. INTRODUCTION AND PURPOSE

## TO THE HONORABLE JUDGE OF SAID COURTHOUSE

This filing provides the Court with a complete evidentiary record of systemic nonexecution within Cass County, Texas. It establishes that, although official orders were lawfully adopted and filed for record, those same orders were never carried out, leaving the county without a functioning seat of government or operative court-security structure. Each document attached herein was executed under seal, entered into the public record, and subsequently disregarded in practice.

The purpose of this submission is to preserve the factual chain showing that the governmental body known as Cass County has continued to act outside the authority created by its own recorded orders. The evidence demonstrates a closed procedural loop: lawful adoption, public filing, and administrative inaction. This condition constitutes a structural failure of governance rather than a dispute of interpretation.

Jurisdiction arises under the continuing emergency record of the 353rd Judicial District and under federal authority through 42 U.S.C. § 1983. The documents presented here form the evidentiary basis for the petitioner’s federal due-process claim, asserting deprivation of lawful venue and redress through the persistent nonexecution of county orders and the systematic avoidance of statutory duty.

This Final Supplemental Filing is submitted to complete the state record, certify the facts for federal review, and provide the Court with an unbroken sequence of evidence showing the existence of recorded authority without execution - the condition giving rise to the present federal claim.

## Origin of the Emergency Petition

The emergency petition originated in the 353rd Judicial District Court of Travis County. It was filed as a matter of record to address the absence of courthouse security and the failure of Cass County to maintain lawful operations within its designated county seat. The petition identified an immediate hazard created by the lack of any functioning security presence or Court Security Committee authorized to respond to the danger. The filing was received under Cause No. D-1-GN-25-002397 and entered into the Travis County docket as an emergency matter.

## Transfer and Oversight Status within Travis County

The 353rd Judicial District Court retained oversight of the petition to ensure compliance with statutory obligations under Texas Government Code Chapters 292, 418, and 552. The Court accepted the filing as a record of emergency management concern and permitted the submission of supplemental documentation to clarify the ongoing failure of Cass County to execute its own recorded orders. The matter remains under Travis County jurisdiction for the purpose of establishing a factual and procedural record suitable for review by higher authority if necessary.

## Overview of Cass County Structural and Procedural Deficiencies

Cass County adopted and filed orders confirming the Historic Courthouse at 100 East Houston Street in Linden as the official county seat. Those orders remain unexecuted, and county operations continue in an undeclared facility. No lawful relocation or abandonment has been recorded under Texas Government Code §292.002.

The record shows continued failure to maintain a Court Security Committee, to provide public records as required by law, and to carry out adopted orders. Lawful process cannot occur within the county's declared jurisdiction, establishing a factual state of nonexecution.

## III. DOCUMENTARY RECORD

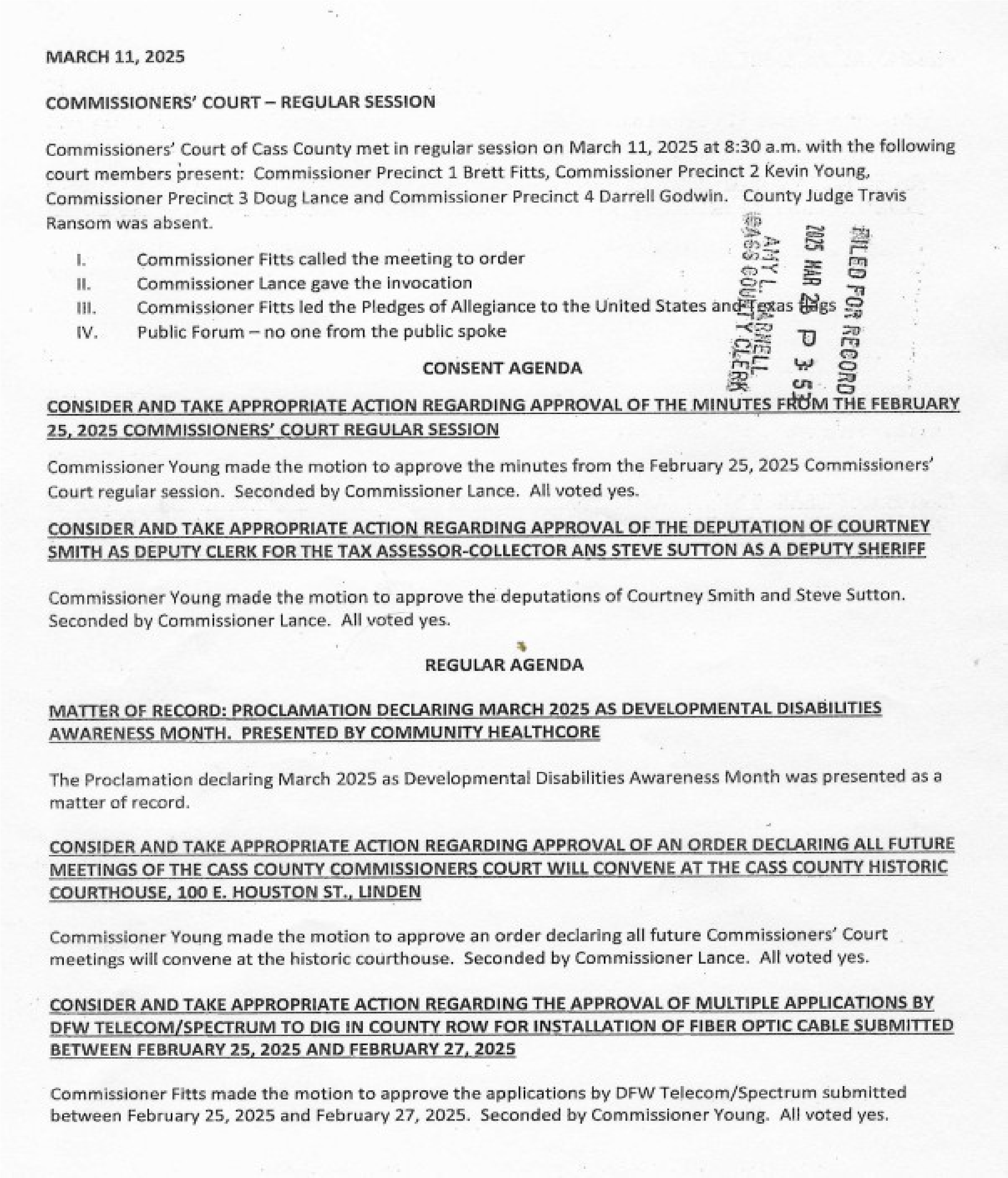
### The Immaculate Authentication

The meeting minutes of the Cass County Commissioners Court dated March 11, 2025, contain a direct internal contradiction that defines the present record. The document bears the signature of County Judge R. Travis Ransom certifying the accuracy of the minutes and confirming the actions taken during that session. Yet within the same record, the attendance section clearly lists the County Judge as absent.

This single page demonstrates the precise condition of non-execution that has come to define Cass County's operations. The meeting was held, actions were recorded, and minutes were signed, but the signature represents authority that was not present in fact. The record therefore authenticates itself without the physical participation of the author - a self-validating act of government that exists only on paper.

The "Immaculate Authentication" stands as the clearest evidence that Cass County's official acts are produced through administrative habit rather than lawful process. It is the point where the form of government continued, while its substance had already departed.

**EXHIBIT A-1 - March 11, 2025 Commissioners Court Meeting Minutes**



MARCH 11, 2025

COMMISSIONERS' COURT – REGULAR SESSION

Commissioners' Court of Cass County met in regular session on March 11, 2025 at 8:30 a.m. with the following court members present: Commissioner Precinct 1 Brett Fitts, Commissioner Precinct 2 Kevin Young, Commissioner Precinct 3 Doug Lance and Commissioner Precinct 4 Darrell Godwin. County Judge Travis Ransom was absent.

I. Commissioner Fitts called the meeting to order
II. Commissioner Lance gave the invocation
III. Commissioner Fitts led the Pledges of Allegiance to the United States and Texas flags
IV. Public Forum – no one from the public spoke

FILED FOR RECORD
2025 MAR 2[illegible] P 3 53
AMY L. VARNELL
CASS COUNTY CLERK

CONSENT AGENDA

CONSIDER AND TAKE APPROPRIATE ACTION REGARDING APPROVAL OF THE MINUTES FROM THE FEBRUARY 25, 2025 COMMISSIONERS' COURT REGULAR SESSION

Commissioner Young made the motion to approve the minutes from the February 25, 2025 Commissioners' Court regular session. Seconded by Commissioner Lance. All voted yes.

CONSIDER AND TAKE APPROPRIATE ACTION REGARDING APPROVAL OF THE DEPUTATION OF COURTNEY SMITH AS DEPUTY CLERK FOR THE TAX ASSESSOR-COLLECTOR ANS STEVE SUTTON AS A DEPUTY SHERIFF

Commissioner Young made the motion to approve the deputations of Courtney Smith and Steve Sutton. Seconded by Commissioner Lance. All voted yes.

REGULAR AGENDA

MATTER OF RECORD: PROCLAMATION DECLARING MARCH 2025 AS DEVELOPMENTAL DISABILITIES AWARENESS MONTH. PRESENTED BY COMMUNITY HEALTHCORE

The Proclamation declaring March 2025 as Developmental Disabilities Awareness Month was presented as a matter of record.

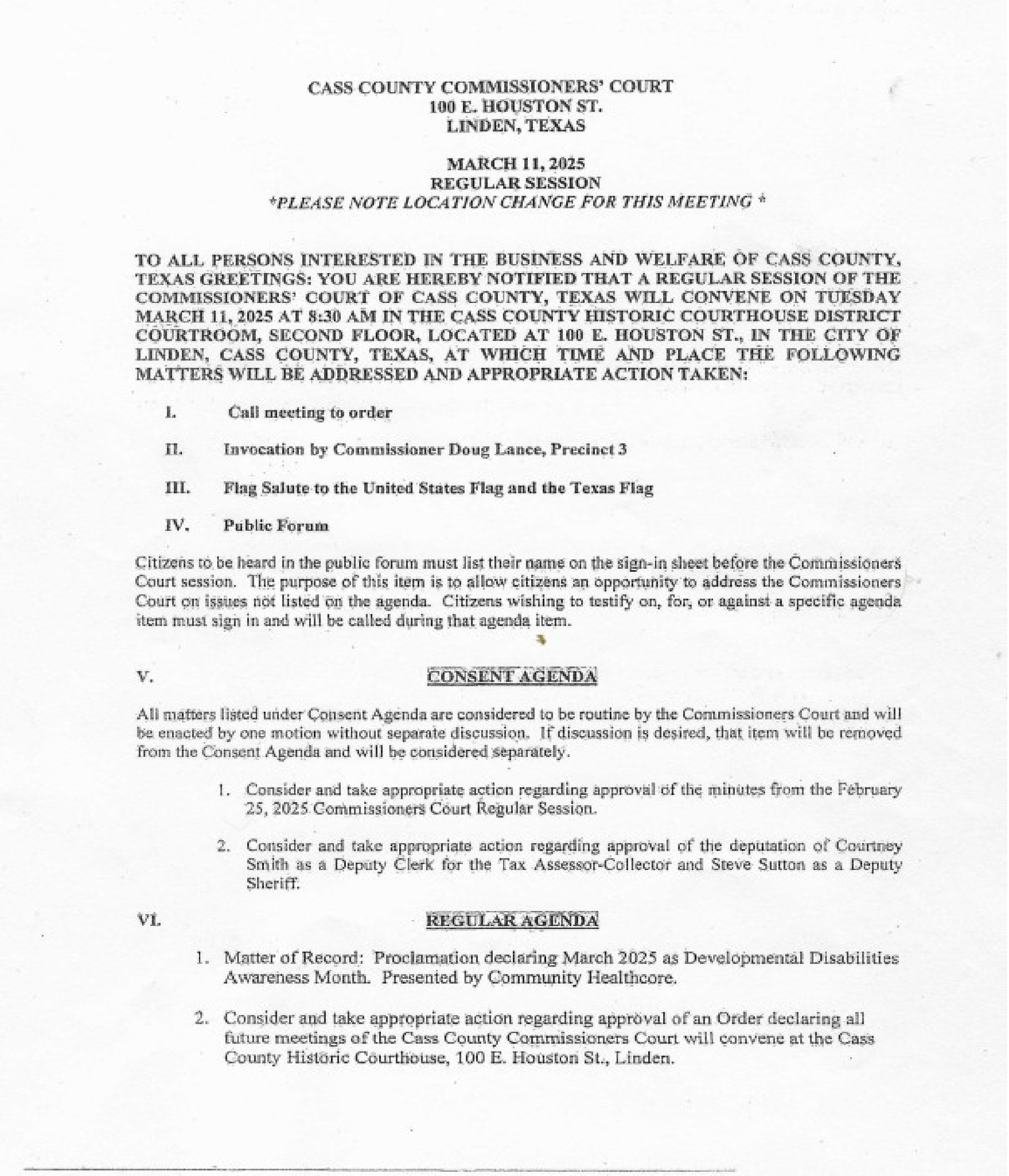
CONSIDER AND TAKE APPROPRIATE ACTION REGARDING APPROVAL OF AN ORDER DECLARING ALL FUTURE MEETINGS OF THE CASS COUNTY COMMISSIONERS COURT WILL CONVENE AT THE CASS COUNTY HISTORIC COURTHOUSE, 100 E. HOUSTON ST., LINDEN

Commissioner Young made the motion to approve an order declaring all future Commissioners' Court meetings will convene at the historic courthouse. Seconded by Commissioner Lance. All voted yes.

CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE APPROVAL OF MULTIPLE APPLICATIONS BY DFW TELECOM/SPECTRUM TO DIG IN COUNTY ROW FOR INSTALLATION OF FIBER OPTIC CABLE SUBMITTED BETWEEN FEBRUARY 25, 2025 AND FEBRUARY 27, 2025

Commissioner Fitts made the motion to approve the applications by DFW Telecom/Spectrum submitted between February 25, 2025 and February 27, 2025. Seconded by Commissioner Young. All voted yes.

## EXHIBIT A-2 - March 11, 2025 Commissioners Court Meeting Minutes (Page 2)



**CASS COUNTY COMMISSIONERS' COURT**
**100 E. HOUSTON ST.**
**LINDEN, TEXAS**

**MARCH 11, 2025**
**REGULAR SESSION**
**PLEASE NOTE LOCATION CHANGE FOR THIS MEETING **

**TO ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS GREETINGS: YOU ARE HEREBY NOTIFIED THAT A REGULAR SESSION OF THE COMMISSIONERS' COURT OF CASS COUNTY, TEXAS WILL CONVENE ON TUESDAY MARCH 11, 2025 AT 8:30 AM IN THE CASS COUNTY HISTORIC COURTHOUSE DISTRICT COURTROOM, SECOND FLOOR, LOCATED AT 100 E. HOUSTON ST., IN THE CITY OF LINDEN, CASS COUNTY, TEXAS, AT WHICH TIME AND PLACE THE FOLLOWING MATTERS WILL BE ADDRESSED AND APPROPRIATE ACTION TAKEN:**

I. **Call meeting to order**

II. **Invocation by Commissioner Doug Lance, Precinct 3**

III. **Flag Salute to the United States Flag and the Texas Flag**

IV. **Public Forum**

Citizens to be heard in the public forum must list their name on the sign-in sheet before the Commissioners Court session. The purpose of this item is to allow citizens an opportunity to address the Commissioners Court on issues not listed on the agenda. Citizens wishing to testify on, for, or against a specific agenda item must sign in and will be called during that agenda item.

V. **CONSENT AGENDA**

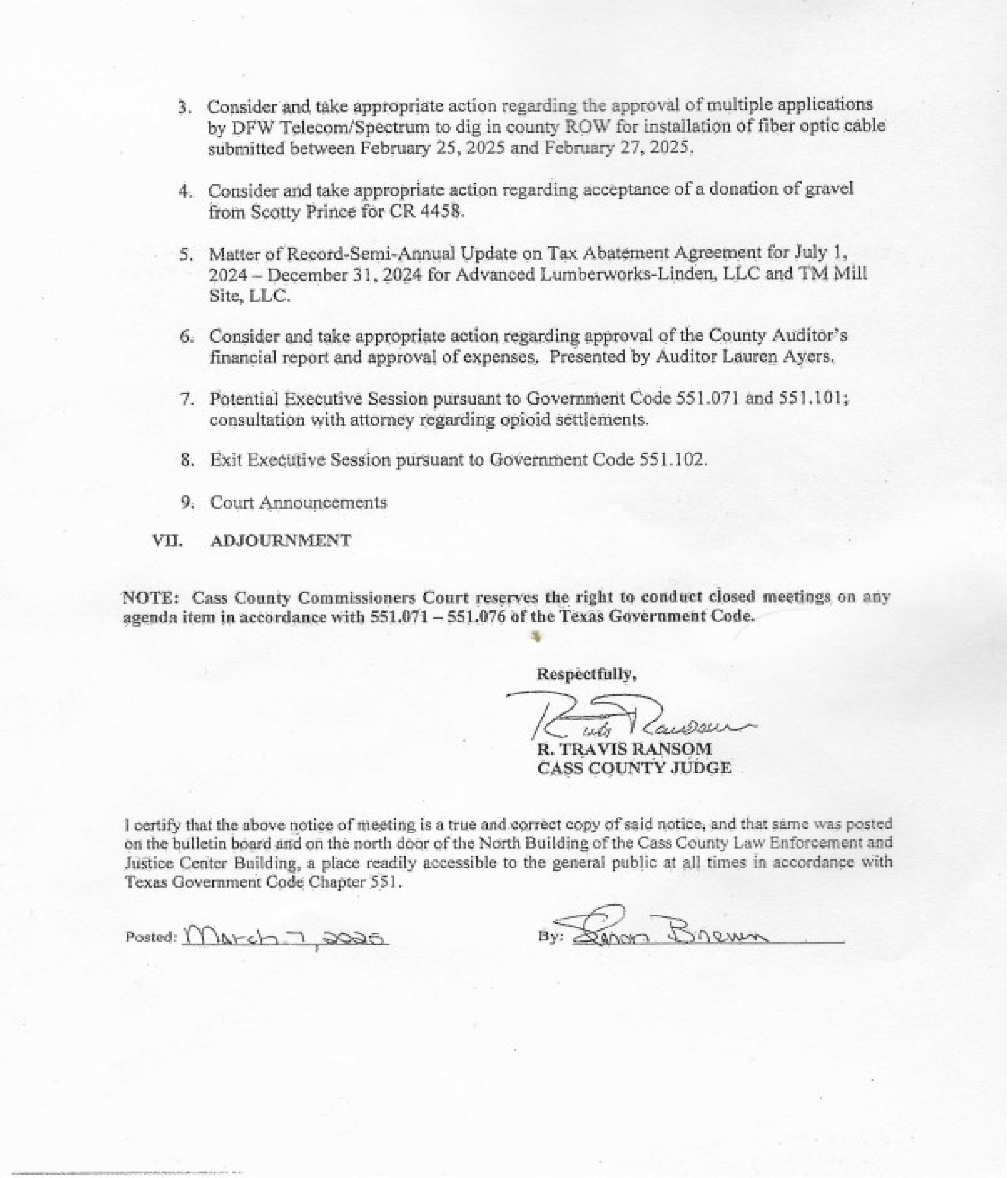
All matters listed under Consent Agenda are considered to be routine by the Commissioners Court and will be enacted by one motion without separate discussion. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

1. Consider and take appropriate action regarding approval of the minutes from the February 25, 2025 Commissioners Court Regular Session.
2. Consider and take appropriate action regarding approval of the deputation of Courtney Smith as a Deputy Clerk for the Tax Assessor-Collector and Steve Sutton as a Deputy Sheriff.

VI. **REGULAR AGENDA**

1. Matter of Record: Proclamation declaring March 2025 as Developmental Disabilities Awareness Month. Presented by Community Healthcore.
2. Consider and take appropriate action regarding approval of an Order declaring all future meetings of the Cass County Commissioners Court will convene at the Cass County Historic Courthouse, 100 E. Houston St., Linden.

**EXHIBIT A-3 - March 11, 2025 Commissioners Court Meeting Minutes (Final Page with Signature of County Judge R. Travis Ransom)**



3. Consider and take appropriate action regarding the approval of multiple applications by DFW Telecom/Spectrum to dig in county ROW for installation of fiber optic cable submitted between February 25, 2025 and February 27, 2025.
4. Consider and take appropriate action regarding acceptance of a donation of gravel from Scotty Prince for CR 4458.
5. Matter of Record-Semi-Annual Update on Tax Abatement Agreement for July 1, 2024 – December 31, 2024 for Advanced Lumberworks-Linden, LLC and TM Mill Site, LLC.
6. Consider and take appropriate action regarding approval of the County Auditor's financial report and approval of expenses. Presented by Auditor Lauren Ayers.
7. Potential Executive Session pursuant to Government Code 551.071 and 551.101; consultation with attorney regarding opioid settlements.
8. Exit Executive Session pursuant to Government Code 551.102.
9. Court Announcements

**VII. ADJOURNMENT**

**NOTE: Cass County Commissioners Court reserves the right to conduct closed meetings on any agenda item in accordance with 551.071 – 551.076 of the Texas Government Code.**

**Respectfully,**

**R. TRAVIS RANSOM**
**CASS COUNTY JUDGE**

I certify that the above notice of meeting is a true and correct copy of said notice, and that same was posted on the bulletin board and on the north door of the North Building of the Cass County Law Enforcement and Justice Center Building, a place readily accessible to the general public at all times in accordance with Texas Government Code Chapter 551.

Posted: March 7, 2025

By: Sharon Brown

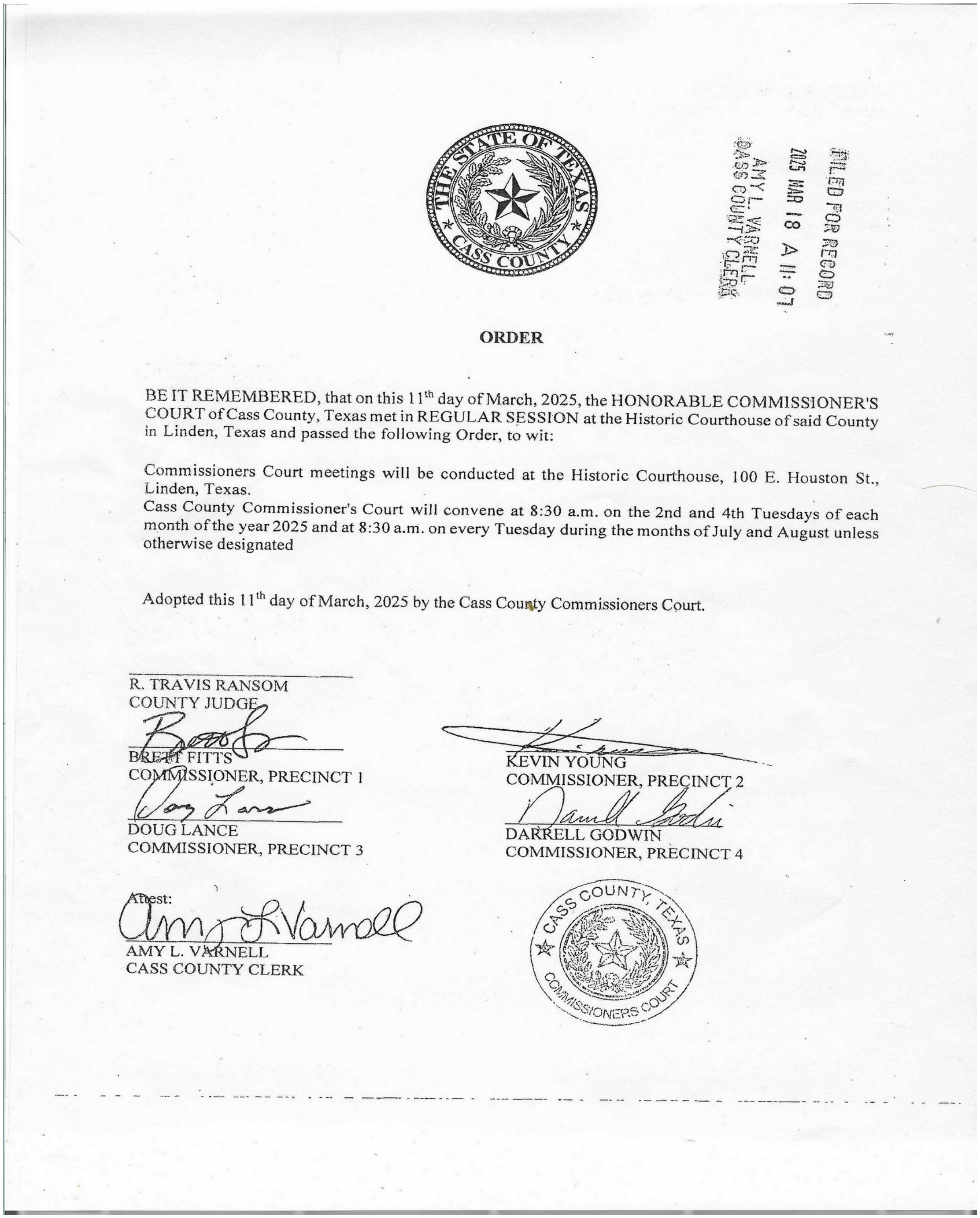
## EXHIBIT B - Unexecuted Order: Future Meetings at the Historic Courthouse (March 11, 2025)

This order was recorded as adopted by the Cass County Commissioners Court in regular session on March 11, 2025. It was attested by the County Clerk, sealed with the official seal of Cass County, and filed for record on March 18, 2025. The order establishes that all future meetings of the Commissioners Court are to be conducted at the Historic Courthouse, 100 East Houston Street, Linden, Texas.

This document determines the official meeting place of the Commissioners Court, and by law, the location where the Commissioners Court sits determines the lawful county seat. The order therefore fixes the Historic Courthouse as the seat of county government.

Although attested, sealed, and filed for record, the order was never executed by signature of the County Judge. The presiding signature line remains blank. The absence of the County Judge’s signature leaves the order legally unexecuted, creating a record in which the county seat was lawfully designated on paper but never carried out in practice. This unexecuted order stands as the clearest evidence of systemic nonexecution within Cass County’s official acts.

**EXHIBIT B - Unexecuted Order: Future Meetings at the Historic Courthouse (March 11, 2025)**
**REGULAR AGENDA 2**



FILED FOR RECORD
2025 MAR 18 A 11:07
AMY L. VARNELL
CASS COUNTY CLERK

## ORDER

BE IT REMEMBERED, that on this 11th day of March, 2025, the HONORABLE COMMISSIONER'S COURT of Cass County, Texas met in REGULAR SESSION at the Historic Courthouse of said County in Linden, Texas and passed the following Order, to wit:

Commissioners Court meetings will be conducted at the Historic Courthouse, 100 E. Houston St., Linden, Texas.
Cass County Commissioner's Court will convene at 8:30 a.m. on the 2nd and 4th Tuesdays of each month of the year 2025 and at 8:30 a.m. on every Tuesday during the months of July and August unless otherwise designated

Adopted this 11th day of March, 2025 by the Cass County Commissioners Court.

R. TRAVIS RANSOM
COUNTY JUDGE

BRETT FITTS
COMMISSIONER, PRECINCT 1

KEVIN YOUNG
COMMISSIONER, PRECINCT 2

Doug Lance
DOUG LANCE
COMMISSIONER, PRECINCT 3

Darrell Godwin
DARRELL GODWIN
COMMISSIONER, PRECINCT 4

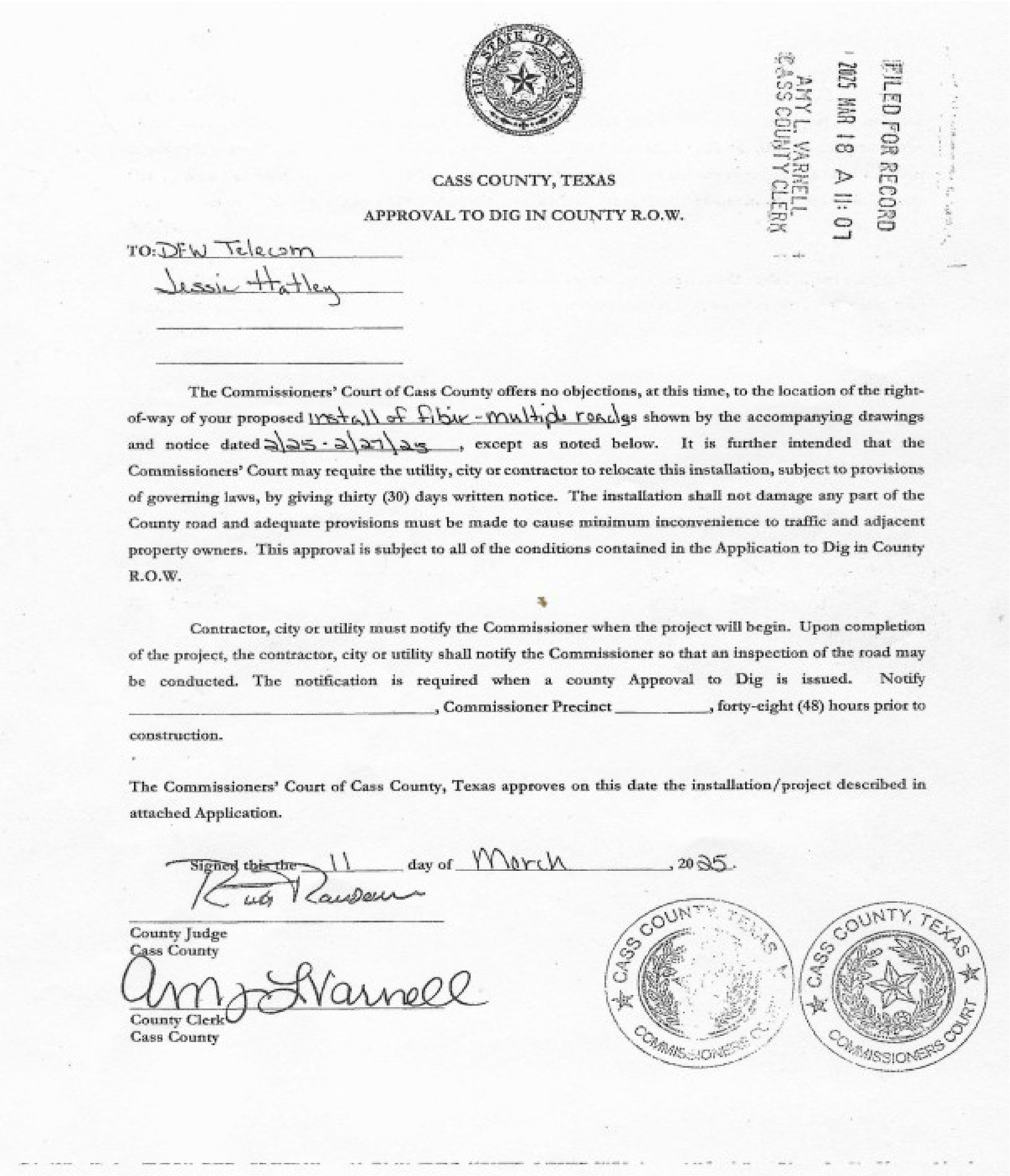
Attest:
Amy L Varnell
AMY L. VARNELL
CASS COUNTY CLERK

## Approval to Dig in County Right-of-Way (DFW Telecom / Spectrum)

On March 11, 2025, the Cass County Commissioners Court approved an application by DFW Telecom / Spectrum to install fiber-optic cable within county right-of-way. The order bears the signatures of the County Judge and County Clerk and was filed for record as part of the same session in which the Commissioners Court adopted the order designating the Historic Courthouse as its official meeting place. This document demonstrates that the Court’s actions from that session were executed and enforced when they concerned external contractors, confirming that the governing body was capable of carrying out its own decisions when it chose to do so. The contrast between this executed order and the unexecuted courthouse order establishes a pattern of selective performance.

**EXHIBIT D - Regular Agenda Item 3: Approval to Dig in County Right-of-Way**

(Signed by County Judge R. Travis Ransom)



FILED FOR RECORD
2025 MAR 18 A 11:07
AMY L. VARNELL
CASS COUNTY CLERK

CASS COUNTY, TEXAS

APPROVAL TO DIG IN COUNTY R.O.W.

TO: DFW Telecom
Jessie Hatley
________________________
________________________

The Commissioners' Court of Cass County offers no objections, at this time, to the location of the right-of-way of your proposed install of fiber - multiple roads as shown by the accompanying drawings and notice dated 2/25 - 2/27/25, except as noted below. It is further intended that the Commissioners' Court may require the utility, city or contractor to relocate this installation, subject to provisions of governing laws, by giving thirty (30) days written notice. The installation shall not damage any part of the County road and adequate provisions must be made to cause minimum inconvenience to traffic and adjacent property owners. This approval is subject to all of the conditions contained in the Application to Dig in County R.O.W.

Contractor, city or utility must notify the Commissioner when the project will begin. Upon completion of the project, the contractor, city or utility shall notify the Commissioner so that an inspection of the road may be conducted. The notification is required when a county Approval to Dig is issued. Notify ____________________, Commissioner Precinct ________, forty-eight (48) hours prior to construction.

The Commissioners' Court of Cass County, Texas approves on this date the installation/project described in attached Application.

Signed this the 11 day of March, 2025.

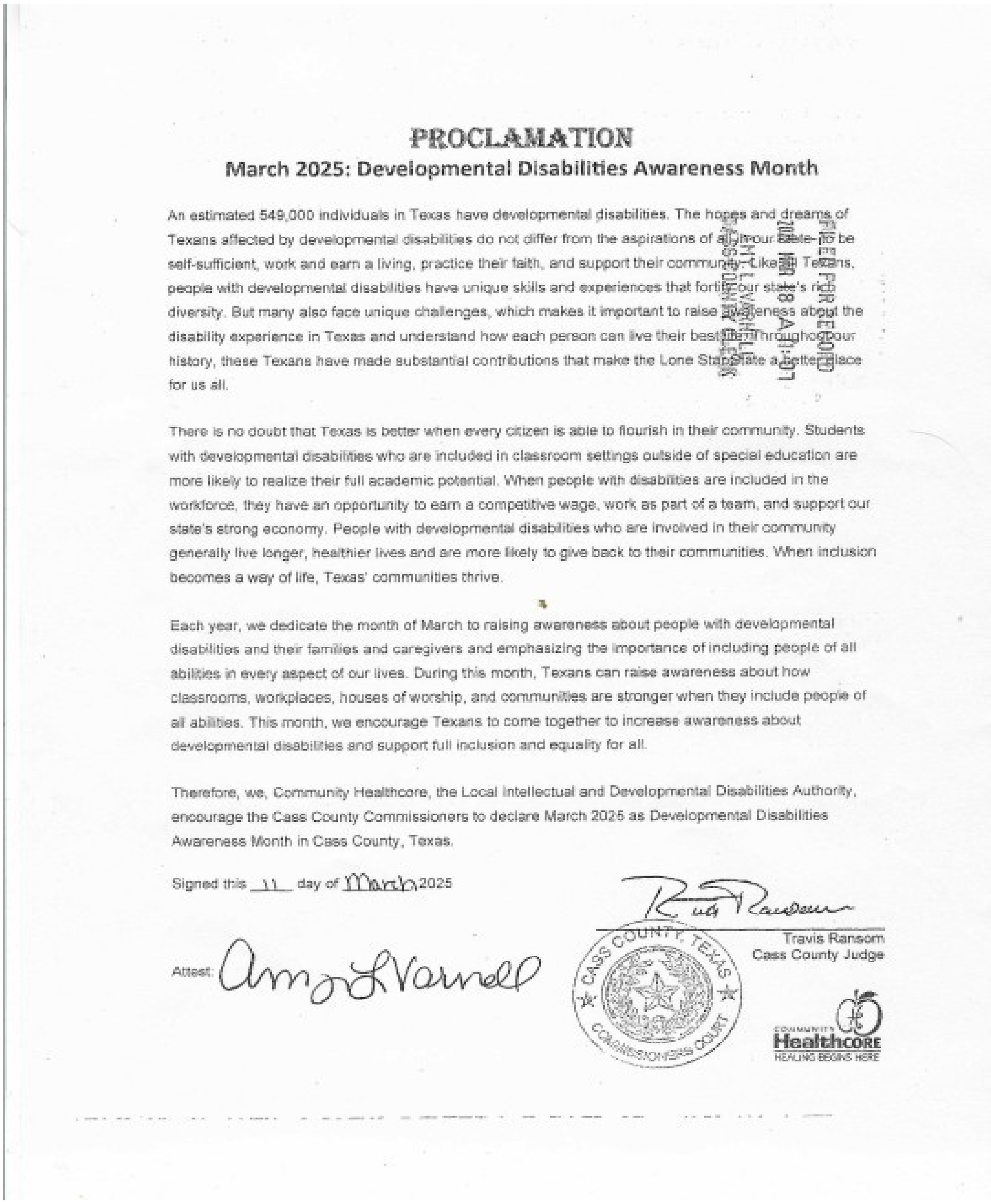
________________________
County Judge
Cass County

Amy L Varnell
________________________
County Clerk
Cass County

## Proclamation: Developmental Disabilities Awareness Month

During the same March 11, 2025 session, the Commissioners Court issued a proclamation recognizing March 2025 as Developmental Disabilities Awareness Month in Cass County. The proclamation was signed by the County Judge, attested by the County Clerk, and filed for record. This proclamation serves as additional evidence that the March 11 session produced valid and effective acts of record. The execution and filing of this proclamation, together with the right-of-way approval, confirms that the meeting was lawful in form and that the Court's decisions were enforceable - except for the one order concerning the courthouse itself.

## EXHIBIT E - Regular Agenda Item 1: Proclamation Declaring March 2025 as Developmental Disabilities Awareness Month (Signed by County Judge R. Travis Ransom on March 11, 2025)



# PROCLAMATION

## March 2025: Developmental Disabilities Awareness Month

FILED FOR RECORD
2025 MAR 18 A 11:07
AMY L VARNELL
[illegible]

An estimated 549,000 individuals in Texas have developmental disabilities. The hopes and dreams of Texans affected by developmental disabilities do not differ from the aspirations of all in our state—to be self-sufficient, work and earn a living, practice their faith, and support their community. Like all Texans, people with developmental disabilities have unique skills and experiences that fortify our state's rich diversity. But many also face unique challenges, which makes it important to raise awareness about the disability experience in Texas and understand how each person can live their best life. Throughout our history, these Texans have made substantial contributions that make the Lone Star State a better place for us all.

There is no doubt that Texas is better when every citizen is able to flourish in their community. Students with developmental disabilities who are included in classroom settings outside of special education are more likely to realize their full academic potential. When people with disabilities are included in the workforce, they have an opportunity to earn a competitive wage, work as part of a team, and support our state's strong economy. People with developmental disabilities who are involved in their community generally live longer, healthier lives and are more likely to give back to their communities. When inclusion becomes a way of life, Texas' communities thrive.

Each year, we dedicate the month of March to raising awareness about people with developmental disabilities and their families and caregivers and emphasizing the importance of including people of all abilities in every aspect of our lives. During this month, Texans can raise awareness about how classrooms, workplaces, houses of worship, and communities are stronger when they include people of all abilities. This month, we encourage Texans to come together to increase awareness about developmental disabilities and support full inclusion and equality for all.

Therefore, we, Community Healthcore, the Local Intellectual and Developmental Disabilities Authority, encourage the Cass County Commissioners to declare March 2025 as Developmental Disabilities Awareness Month in Cass County, Texas.

Signed this 11 day of March 2025

Travis Ransom
Cass County Judge

Attest: Amy L Varnell

COMMUNITY Healthcore
HEALING BEGINS HERE

## IV. PUBLIC INFORMATION REQUEST SEQUENCE

### 1. Public Information Request (May 12 2025, VOL.1 pp 92)

On May 12 2025, Petitioner submitted a written request under the Texas Public Information Act, Chapter 552, seeking records confirming the existence and activity of the Cass County Court Security Committee from 2022 to the present, together with any ADA compliance audits, Texas Department of Licensing and Regulation correspondence, or Texas Historical Commission documents related to courthouse accessibility. The request identified by category all minutes, appointments, and communications demonstrating lawful operation of the committee or any structural justification for relocating court functions away from the Historic Courthouse.

### 2. Scope and Purpose of Request

The request was precise and confined to known statutory duties. It sought verification of compliance with state law rather than discretionary information. Notice was given that the request related to an active emergency petition pending in the 353rd Judicial District Court and that failure to provide records would be documented as evidence of procedural non-execution.

### 3. Absence of Response

No response or acknowledgment was received within the period prescribed by § 552.221(d). The failure to respond constituted a violation of the Public Information Act and demonstrated refusal to confirm the existence of any functioning Court Security Committee.

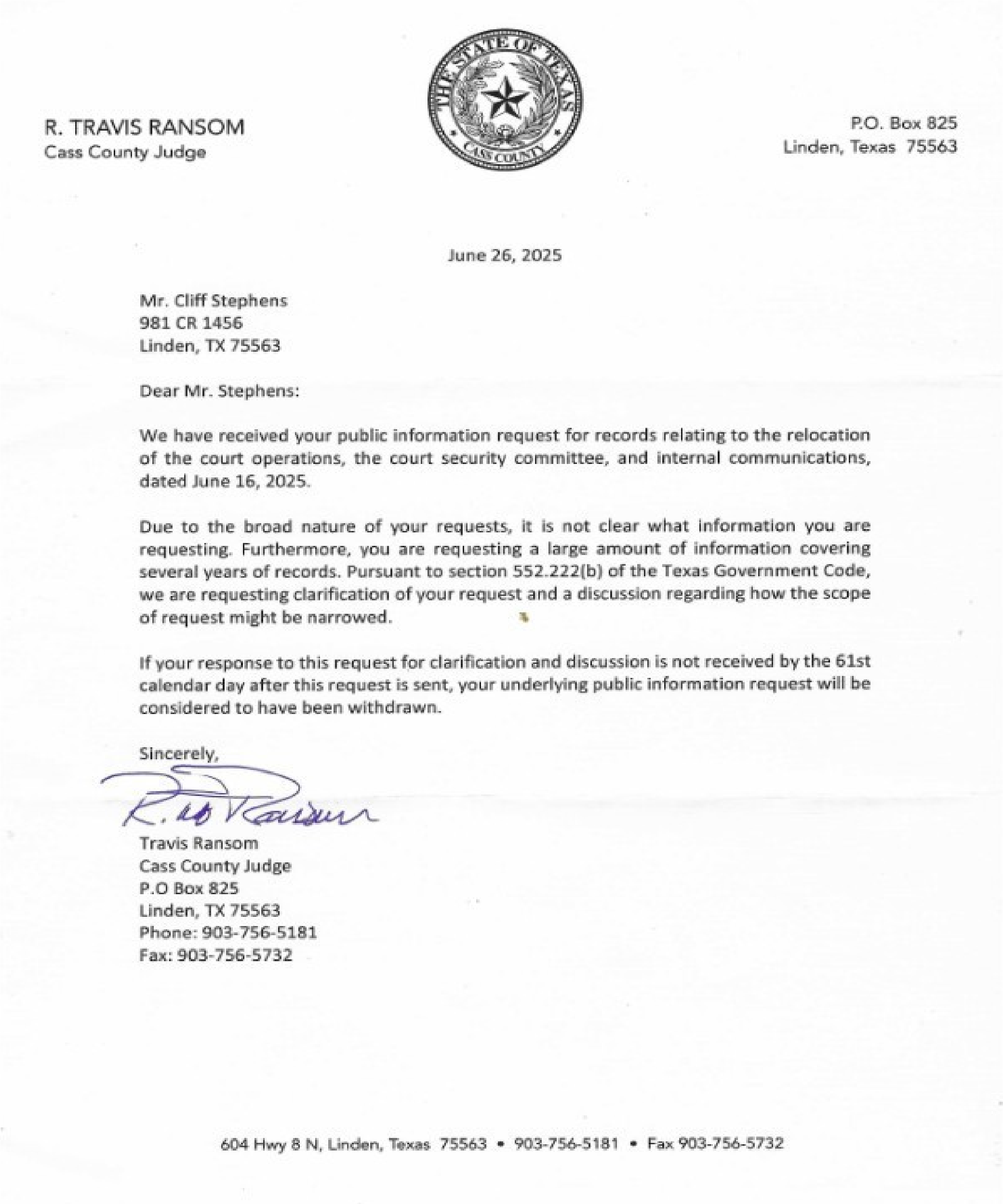
### 4. Second Request and Response (June 2025, VOL 1. pp. 231)

On June 16 2025, Petitioner resubmitted the inquiry, broadening it slightly to include internal communications concerning courthouse relocation. On June 26 2025, the Cass County Judge issued a letter citing § 552.222(b) and requesting “clarification,” although the scope of the original request was already limited to specific statutory subjects. No production of records or partial compliance followed.

### 5. Procedural Stress Test – ADA Compliance Inquiry (VOL. I pp. 168)

As a procedural test, the request for ADA documentation was designed to elicit a simple confirmation of a publicly known fact: the Cass County Courthouse was rededicated in 2012 and certified compliant with ADA standards by the Texas Historical Commission. County officials declined to provide even this minimal acknowledgment. The deliberate non-response, despite the public availability of the answer, evidences systemic procedural avoidance and institutional disengagement.

# EXHIBIT F - Correspondence from County Judge R. Travis Ransom (June 26, 2025): The Only Direct Communication Issued by the Presiding Authority in Response to Public Information Requests



R. TRAVIS RANSOM
Cass County Judge

P.O. Box 825
Linden, Texas 75563

June 26, 2025

Mr. Cliff Stephens
981 CR 1456
Linden, TX 75563

Dear Mr. Stephens:

We have received your public information request for records relating to the relocation of the court operations, the court security committee, and internal communications, dated June 16, 2025.

Due to the broad nature of your requests, it is not clear what information you are requesting. Furthermore, you are requesting a large amount of information covering several years of records. Pursuant to section 552.222(b) of the Texas Government Code, we are requesting clarification of your request and a discussion regarding how the scope of request might be narrowed.

If your response to this request for clarification and discussion is not received by the 61st calendar day after this request is sent, your underlying public information request will be considered to have been withdrawn.

Sincerely,

Travis Ransom
Cass County Judge
P.O Box 825
Linden, TX 75563
Phone: 903-756-5181
Fax: 903-756-5732

604 Hwy 8 N, Linden, Texas 75563 • 903-756-5181 • Fax 903-756-5732

## V. FINDINGS AND ANALYSIS

### 1. Pattern of Selective Execution

The March 11, 2025 Commissioners Court agenda contained three principal actions under the Regular Session.

1. Approval for DFW Telecom and Spectrum to install fiber optic cable in county right-of-way.
2. Adoption of an order designating the Historic Courthouse at 100 East Houston Street in Linden as the official meeting place of the Commissioners Court.
3. Proclamation declaring March 2025 as Developmental Disabilities Awareness Month.

The first and third actions were signed by the County Judge, attested by the County Clerk, filed for record, and executed in full effect. The second action - the order establishing the Historic Courthouse as the lawful meeting place - was attested, sealed, and filed for record, but never executed by the County Judge.

The sequence within the same meeting record therefore proves selective execution. The Court carried out the first and third items, both routine and external, while leaving the central act concerning the lawful seat of government unexecuted. The meeting agenda itself demonstrates the pattern: the courthouse order stands between two validly executed acts, establishing a complete evidentiary chain of omission within a single session.

### 2. Pattern of Procedural Avoidance

On May 12, 2025, a lawful public information request was submitted under Chapter 552 of the Texas Government Code. The request sought documents showing the existence or activity of the Cass County Court Security Committee and any accessibility or structural justification for operating outside the Historic Courthouse. The request received no answer within the time required by law. A second request was submitted on June 16, 2025, and on June 26, 2025, a letter was issued by the County Judge requesting clarification instead of producing records. No records were ever provided.

No certification or date of production was issued. The failure to respond or certify within the required time constitutes a procedural omission under state law. The pattern of non-response and delay shows an ongoing avoidance of lawful record production.

### 3. Constructive Abandonment of the County Seat

The record shows that on March 11, 2025, the Cass County Commissioners Court adopted an order designating the Historic Courthouse at 100 East Houston Street in Linden as its official meeting place. The order was attested, sealed, and filed for record but was never executed by signature of the County Judge. The Commissioners Court has continued to meet and conduct official business in another building that has not been lawfully designated or recorded as the county seat. No order, resolution, or record of lawful relocation exists in the minutes of the Court or in the public record.

Texas Local Government Code Section 292.001 states:

> "Each county shall provide a courthouse and offices for county officers at the county seat."

Texas Local Government Code Section 292.002 states:

> "If the courthouse is destroyed or if the county seat is changed, the commissioners court shall provide for a courthouse and offices at the new county seat."

The courthouse stands intact and in serviceable condition. The statutory requirement to maintain county government and official offices at the county seat remains in full effect. The continued operation of the Commissioners Court outside the courthouse is a departure from this statutory requirement. The record shows that Cass County has abandoned the lawful county seat in operation while preserving it in record. The condition present in this case is constructive abandonment of the county seat.

### 4. Absence of a Lawfully Convened County Government

A Commissioners Court derives its authority from its lawful convening at the county seat as designated by statute and recorded order. Cass County's current operations occur outside that lawful venue. The March 11, 2025 order remains unexecuted, and no lawful substitution has been made. Without a lawful seat, there can be no lawful convening authority. The county continues to act in administration without jurisdiction.

The record before the Court establishes that Cass County functions through recorded acts that have not been carried into execution. The lawful authority of county government depends upon execution of its own orders. Where execution ceases, lawful government ceases. The condition demonstrated in this record is that of a county existing in record but not in operation.

## VI. FEDERAL DUE PROCESS IMPLICATIONS

### 1. Deprivation of Lawful Venue and Access to Redress

The evidence establishes that Cass County has failed to execute its own recorded order designating the Historic Courthouse at 100 East Houston Street in Linden as the official meeting place of the Commissioners Court. The continued operation of county government from an undeclared facility removes all judicial and administrative functions from the lawful county seat. No lawful courthouse or secured forum presently exists for the exercise of public or judicial process.

The Fourteenth Amendment to the Constitution of the United States provides that no State shall “deprive any person of life, liberty, or property, without due process of law.” Due process requires not only notice and procedure but also a lawful forum within which process may occur. When a county fails to maintain its courthouse and its seat of government as required by law, it deprives all residents of lawful venue and redress. In this condition, no citizen can be assured of a valid proceeding, because the authority of the court depends upon lawful venue.

### 2. Governance by Administrative Fiction: County in Name Only

Cass County continues to issue documents, hold meetings, and record filings. Each of these acts occurs outside the lawful seat of government. The government of the county therefore exists only in its paperwork and not in its lawful place. This is governance by administrative fiction. The form of authority continues, but its substance has been lost. The signatures, seals, and certifications remain, but the seat of jurisdiction has been abandoned. The county acts without physical or legal foundation, functioning as a county in name only.

The deprivation at issue is not theoretical. The record shows a continuous failure to provide a courthouse, a functioning Court Security Committee, or compliance with orders that define lawful venue. Without these, the exercise of power has no jurisdictional root. The absence of a lawful seat nullifies due process at its origin.

### 3. Application of 42 U.S.C. § 1983

Title 42, United States Code, Section 1983 provides:

> “Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress.”

The record demonstrates state action under color of law resulting in the deprivation of rights secured by the Constitution. Cass County and its officers continue to operate as if lawfully constituted while disregarding the statutory requirements that define their jurisdiction. The acts of record, taken in form but not in execution, constitute state action that deprives residents of due process, lawful venue, and redress.

Through this condition, the petitioner and all persons within the jurisdiction of Cass County are denied the rights guaranteed by the Fourteenth Amendment. The operation of a government that exists only in record and not in lawful execution results in a continuing violation of constitutional due process.

## VII. REQUESTED RELIEF AND RECOMMENDATION TO THE COURT

### 1. Judicial Recognition of Systemic Nonexecution

The record before the Court establishes that Cass County has failed to execute its own recorded orders. The order designating the Historic Courthouse at 100 East Houston Street in Linden as the lawful meeting place of the Commissioners Court remains unexecuted. The Court is asked to recognize as fact that Cass County operates outside the authority of its recorded acts and that this condition constitutes systemic nonexecution within county government.

Judicial recognition of this fact is necessary to preserve the integrity of the state record and to protect the public from the continued exercise of authority without lawful execution. Recognition of systemic nonexecution confirms that no lawful courthouse, venue, or county seat is presently functioning within Cass County.

### 2. Certification of Record for Federal Consideration

The petitioner requests that the Court certify this filing, together with its attached and cited documents, as a true and complete evidentiary record. The certified record will serve as the factual basis for review under Title 42 United States Code Section 1983. Certification will confirm that the evidence presented is authentic, was filed within lawful process, and reflects the official condition of Cass County government as it stands.

Certification of record is sought under the Court’s inherent authority to preserve the integrity of its own proceedings and to ensure that the factual sequence of state action and omission is accurately transmitted for federal examination.

### 3. Direction to State Respondents to Cure or Show Cause

The petitioner requests that the Court direct the respondents, the Texas Department of Emergency Management and Cass County, to cure or show cause regarding the condition of nonexecution established in this record. The respondents should be ordered to provide written confirmation of compliance with Texas Government Code Sections 292.001 and 292.002, identifying the lawful courthouse, the location of the county seat, and the status of the Cass County Court Security Committee.

If the respondents cannot demonstrate compliance, the Court should enter a finding that Cass County lacks a lawful venue of government and that state oversight is required to restore lawful process.

The condition before the Court is ongoing and present. The petitioner seeks immediate acknowledgment of this state of nonexecution and certification of the record for federal review so that lawful authority may be restored and the rights of all citizens protected under due process of law.

## VIII. CONCLUSION

The record before the Court is complete and verified. Each document, order, and communication presented in this filing establishes a single, continuous condition within Cass County government. Orders have been adopted, recorded, and filed under seal. Those same orders have not been executed. The county continues to act outside the authority of its own recorded acts.

The evidence confirms that the lawful seat of government has been identified but not restored, that the Court Security Committee remains inactive, and that public information requests have gone unanswered. The absence of execution has resulted in the absence of lawful government. The record demonstrates that no functioning courthouse, venue, or security authority presently exists under law in Cass County. Declarations of civil emergencies involving public safety have been ignored, and no lawful response has been issued by the responsible authorities.

The petitioner has supplied the Court with the full evidentiary chain required to certify these facts for federal review. The condition now stands as a matter of record. The lawful response is recognition, certification, and oversight. The purpose of this filing is to return the county to lawful order and to restore due process for every citizen affected.

The evidence is complete. The facts are established. The need for oversight is present and continuing.

**Generally,**

**Cliff Stephens**

Petitioner, *Pro Se*

Linden Tx, 75563

10/20/2025 12:00 AM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Norma Ybarra

CAUSE NO. D-1-GN-25-002397
IN THE DISTRICT COURT OF
TRAVIS COUNTY, TEXAS
Cliff Stephens
PETITIONER
v.
TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT
and CASS COUNTY
RESPONDENTS
353rd JUDICIAL DISTRICT

# FINAL SUPPLEMENTAL FILING:
# EVIDENTIARY RECORD OF SYSTEMIC NONEXECUTION AND PROCEDURAL AVOIDANCE

*Filed in Support of Federal Due Process Claim under 42 U.S.C. §1983*

**I. INTRODUCTION AND PURPOSE**
**II. BACKGROUND AND PROCEDURAL HISTORY**

1. Origin of the Emergency Petition
2. Transfer and Oversight Status within Travis County
3. Overview of Cass County Structural and Procedural Deficiencies

**III. DOCUMENTARY RECORD**

1. The Immaculate Authentication
2. Exhibit A-1 March 11, 2025 Commissioners Court Meeting Minutes
3. Exhibit A-2 March 11, 2025 Commissioners Court Meeting Minutes (Page 2)
4. Exhibit A-3 March 11, 2025 Commissioners Court Meeting Minutes (Final Page with Signature of County Judge R. Travis Ransom)
5. Exhibit B Unexecuted Order: Future Meetings at the Historic Courthouse (March 11, 2025)
6. Exhibit D Regular Agenda Item 3: Approval to Dig in County Right-of-Way (Signed by County Judge R. Travis Ransom)
7. Exhibit E Regular Agenda Item 1: Proclamation Declaring March 2025 as Developmental Disabilities Awareness Month (Signed March 11, 2025)

**IV. PUBLIC INFORMATION REQUEST SEQUENCE**

1. Public Information Request (May 12, 2025)
2. Second Request and Response (June 2025)
3. Procedural Stress-Test: ADA Compliance Inquiry
4. Exhibit F Correspondence from County Judge R. Travis Ransom (June 26, 2025) – Only Direct Communication Issued by Presiding Authority

**V. FINDINGS AND ANALYSIS**

1. Pattern of Selective Execution
2. Pattern of Procedural Avoidance
3. Constructive Abandonment of the County Seat
4. Absence of Lawfully Convened County Government

**VI. FEDERAL DUE PROCESS IMPLICATIONS**

1. Deprivation of Lawful Venue and Access to Redress
2. Governance by Administrative Fiction – County in Name Only
3. Application of 42 U.S.C. § 1983

## VII. REQUESTED RELIEF AND RECOMMENDATION TO THE COURT

1. Judicial Recognition of Systemic Nonexecution
2. Certification of Record for Federal Consideration
3. Direction to State Respondents to Cure or Show Cause

## VIII. CONCLUSION

## I. INTRODUCTION AND PURPOSE

## TO THE HONORABLE JUDGE OF SAID COURTHOUSE

This filing provides the Court with a complete evidentiary record of systemic nonexecution within Cass County, Texas. It establishes that, although official orders were lawfully adopted and filed for record, those same orders were never carried out, leaving the county without a functioning seat of government or operative court-security structure. Each document attached herein was executed under seal, entered into the public record, and subsequently disregarded in practice.

The purpose of this submission is to preserve the factual chain showing that the governmental body known as Cass County has continued to act outside the authority created by its own recorded orders. The evidence demonstrates a closed procedural loop: lawful adoption, public filing, and administrative inaction. This condition constitutes a structural failure of governance rather than a dispute of interpretation.

Jurisdiction arises under the continuing emergency record of the 353rd Judicial District and under federal authority through 42 U.S.C. § 1983. The documents presented here form the evidentiary basis for the petitioner's federal due-process claim, asserting deprivation of lawful venue and redress through the persistent nonexecution of county orders and the systematic avoidance of statutory duty.

This Final Supplemental Filing is submitted to complete the state record, certify the facts for federal review, and provide the Court with an unbroken sequence of evidence showing the existence of recorded authority without execution - the condition giving rise to the present federal claim.

## Origin of the Emergency Petition

The emergency petition originated in the 353rd Judicial District Court of Travis County. It was filed as a matter of record to address the absence of courthouse security and the failure of Cass County to maintain lawful operations within its designated county seat. The petition identified an immediate hazard created by the lack of any functioning security presence or Court Security Committee authorized to respond to the danger. The filing was received under Cause No. D-1-GN-25-002397 and entered into the Travis County docket as an emergency matter.

## Transfer and Oversight Status within Travis County

The 353rd Judicial District Court retained oversight of the petition to ensure compliance with statutory obligations under Texas Government Code Chapters 292, 418, and 552. The Court accepted the filing as a record of emergency management concern and permitted the submission of supplemental documentation to clarify the ongoing failure of Cass County to execute its own recorded orders. The matter remains under Travis County jurisdiction for the purpose of establishing a factual and procedural record suitable for review by higher authority if necessary.

## Overview of Cass County Structural and Procedural Deficiencies

Cass County adopted and filed orders confirming the Historic Courthouse at 100 East Houston Street in Linden as the official county seat. Those orders remain unexecuted, and county operations continue in an undeclared facility. No lawful relocation or abandonment has been recorded under Texas Government Code §292.002.

The record shows continued failure to maintain a Court Security Committee, to provide public records as required by law, and to carry out adopted orders. Lawful process cannot occur within the county’s declared jurisdiction, establishing a factual state of nonexecution.

## III. DOCUMENTARY RECORD

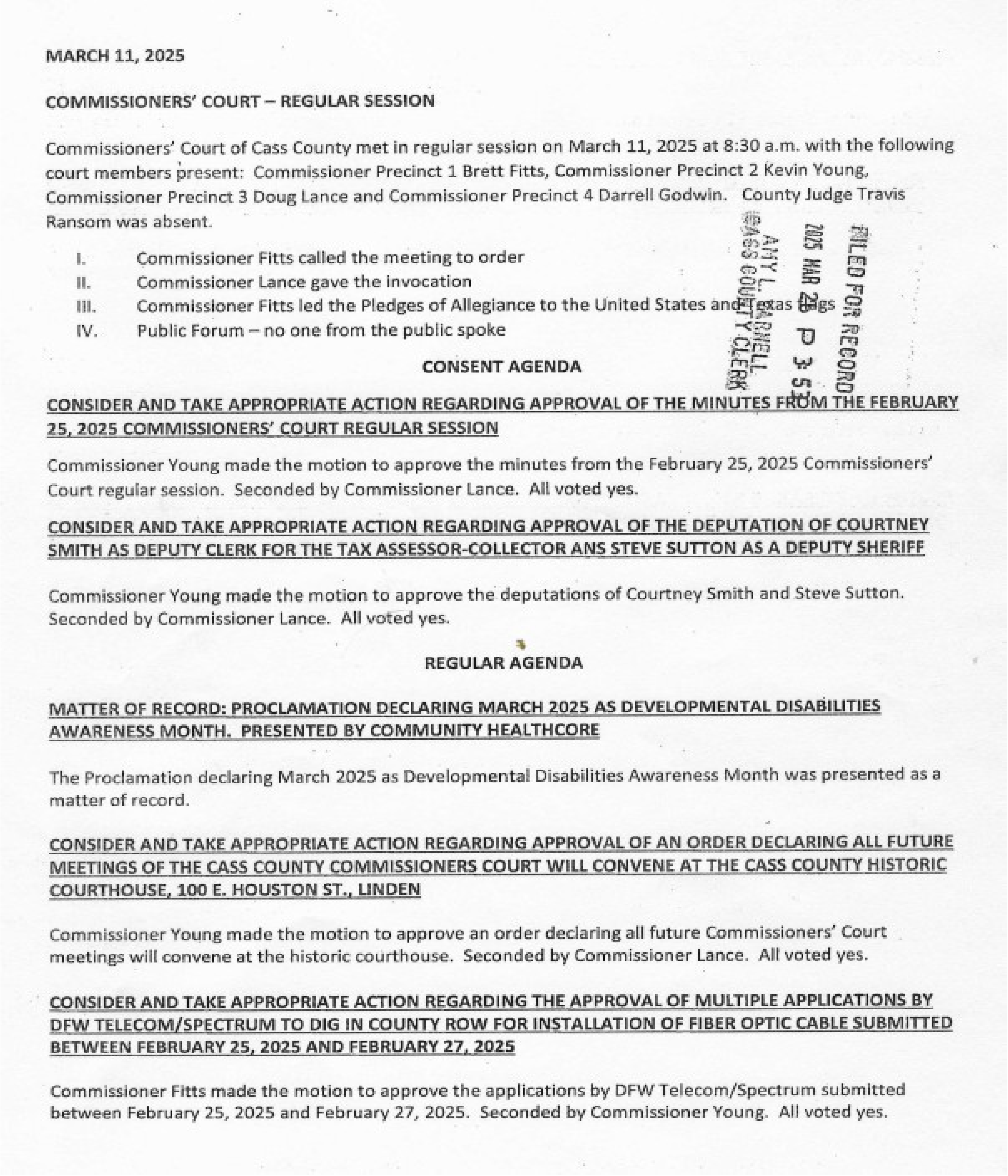
### The Immaculate Authentication

The meeting minutes of the Cass County Commissioners Court dated March 11, 2025, contain a direct internal contradiction that defines the present record. The document bears the signature of County Judge R. Travis Ransom certifying the accuracy of the minutes and confirming the actions taken during that session. Yet within the same record, the attendance section clearly lists the County Judge as absent.

This single page demonstrates the precise condition of non-execution that has come to define Cass County's operations. The meeting was held, actions were recorded, and minutes were signed, but the signature represents authority that was not present in fact. The record therefore authenticates itself without the physical participation of the author - a self-validating act of government that exists only on paper.

The "Immaculate Authentication" stands as the clearest evidence that Cass County's official acts are produced through administrative habit rather than lawful process. It is the point where the form of government continued, while its substance had already departed.

**EXHIBIT A-1 - March 11, 2025 Commissioners Court Meeting Minutes**



MARCH 11, 2025

COMMISSIONERS' COURT – REGULAR SESSION

Commissioners' Court of Cass County met in regular session on March 11, 2025 at 8:30 a.m. with the following court members present: Commissioner Precinct 1 Brett Fitts, Commissioner Precinct 2 Kevin Young, Commissioner Precinct 3 Doug Lance and Commissioner Precinct 4 Darrell Godwin. County Judge Travis Ransom was absent.

I. Commissioner Fitts called the meeting to order
II. Commissioner Lance gave the invocation
III. Commissioner Fitts led the Pledges of Allegiance to the United States and Texas flags
IV. Public Forum – no one from the public spoke

FILED FOR RECORD
2025 MAR 2[illegible] P 3 53
AMY L. [illegible]ARWELL
CASS COUNTY CLERK

CONSENT AGENDA

CONSIDER AND TAKE APPROPRIATE ACTION REGARDING APPROVAL OF THE MINUTES FROM THE FEBRUARY 25, 2025 COMMISSIONERS' COURT REGULAR SESSION

Commissioner Young made the motion to approve the minutes from the February 25, 2025 Commissioners' Court regular session. Seconded by Commissioner Lance. All voted yes.

CONSIDER AND TAKE APPROPRIATE ACTION REGARDING APPROVAL OF THE DEPUTATION OF COURTNEY SMITH AS DEPUTY CLERK FOR THE TAX ASSESSOR-COLLECTOR ANS STEVE SUTTON AS A DEPUTY SHERIFF

Commissioner Young made the motion to approve the deputations of Courtney Smith and Steve Sutton. Seconded by Commissioner Lance. All voted yes.

REGULAR AGENDA

MATTER OF RECORD: PROCLAMATION DECLARING MARCH 2025 AS DEVELOPMENTAL DISABILITIES AWARENESS MONTH. PRESENTED BY COMMUNITY HEALTHCORE

The Proclamation declaring March 2025 as Developmental Disabilities Awareness Month was presented as a matter of record.

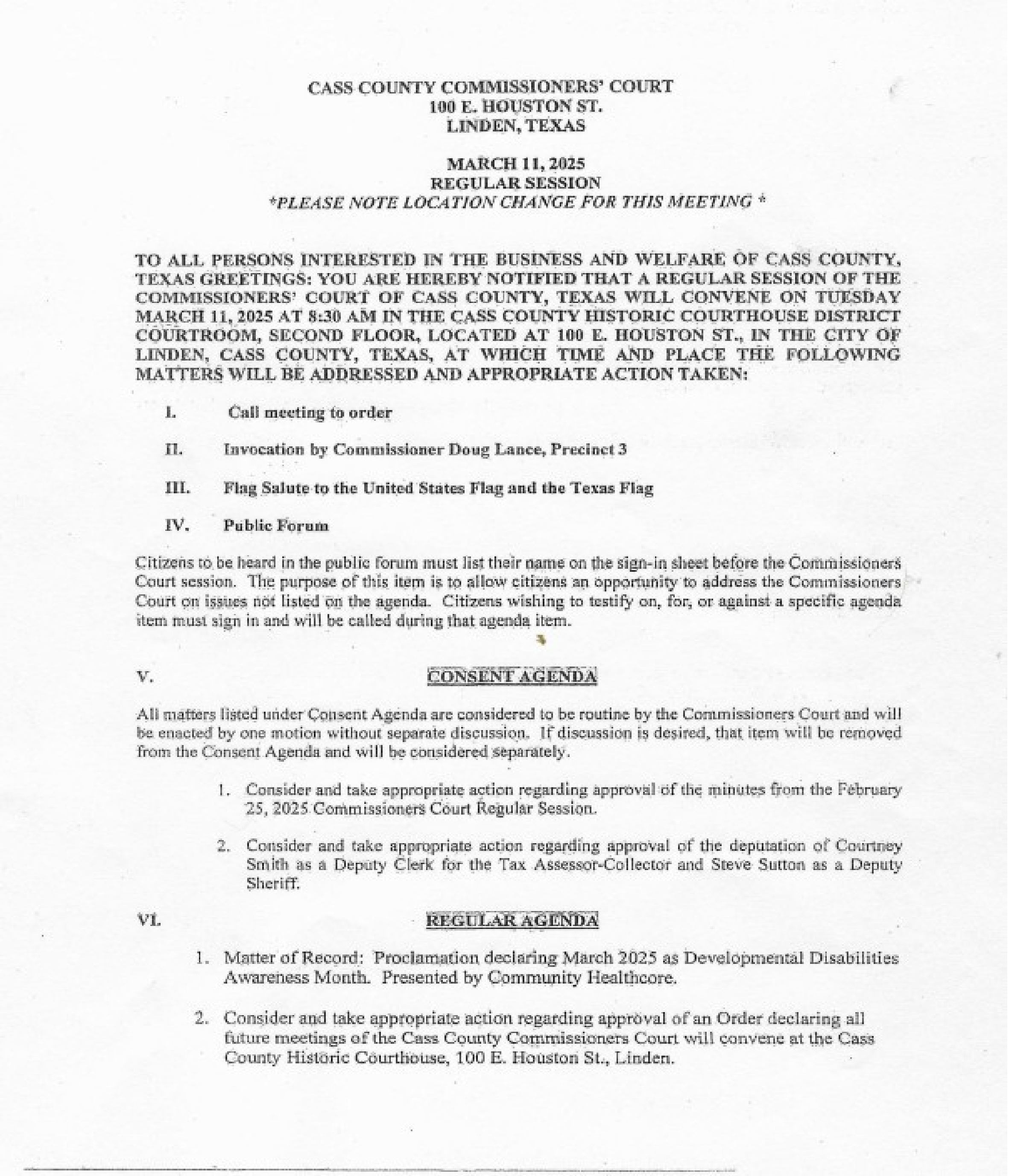
CONSIDER AND TAKE APPROPRIATE ACTION REGARDING APPROVAL OF AN ORDER DECLARING ALL FUTURE MEETINGS OF THE CASS COUNTY COMMISSIONERS COURT WILL CONVENE AT THE CASS COUNTY HISTORIC COURTHOUSE, 100 E. HOUSTON ST., LINDEN

Commissioner Young made the motion to approve an order declaring all future Commissioners' Court meetings will convene at the historic courthouse. Seconded by Commissioner Lance. All voted yes.

CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE APPROVAL OF MULTIPLE APPLICATIONS BY DFW TELECOM/SPECTRUM TO DIG IN COUNTY ROW FOR INSTALLATION OF FIBER OPTIC CABLE SUBMITTED BETWEEN FEBRUARY 25, 2025 AND FEBRUARY 27, 2025

Commissioner Fitts made the motion to approve the applications by DFW Telecom/Spectrum submitted between February 25, 2025 and February 27, 2025. Seconded by Commissioner Young. All voted yes.

**EXHIBIT A-2 - March 11, 2025 Commissioners Court Meeting Minutes (Page 2)**



CASS COUNTY COMMISSIONERS' COURT
100 E. HOUSTON ST.
LINDEN, TEXAS

MARCH 11, 2025
REGULAR SESSION
**PLEASE NOTE LOCATION CHANGE FOR THIS MEETING **

**TO ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS GREETINGS: YOU ARE HEREBY NOTIFIED THAT A REGULAR SESSION OF THE COMMISSIONERS' COURT OF CASS COUNTY, TEXAS WILL CONVENE ON TUESDAY MARCH 11, 2025 AT 8:30 AM IN THE CASS COUNTY HISTORIC COURTHOUSE DISTRICT COURTROOM, SECOND FLOOR, LOCATED AT 100 E. HOUSTON ST., IN THE CITY OF LINDEN, CASS COUNTY, TEXAS, AT WHICH TIME AND PLACE THE FOLLOWING MATTERS WILL BE ADDRESSED AND APPROPRIATE ACTION TAKEN:**

**I. Call meeting to order**

**II. Invocation by Commissioner Doug Lance, Precinct 3**

**III. Flag Salute to the United States Flag and the Texas Flag**

**IV. Public Forum**

Citizens to be heard in the public forum must list their name on the sign-in sheet before the Commissioners Court session. The purpose of this item is to allow citizens an opportunity to address the Commissioners Court on issues not listed on the agenda. Citizens wishing to testify on, for, or against a specific agenda item must sign in and will be called during that agenda item.

**V. CONSENT AGENDA**

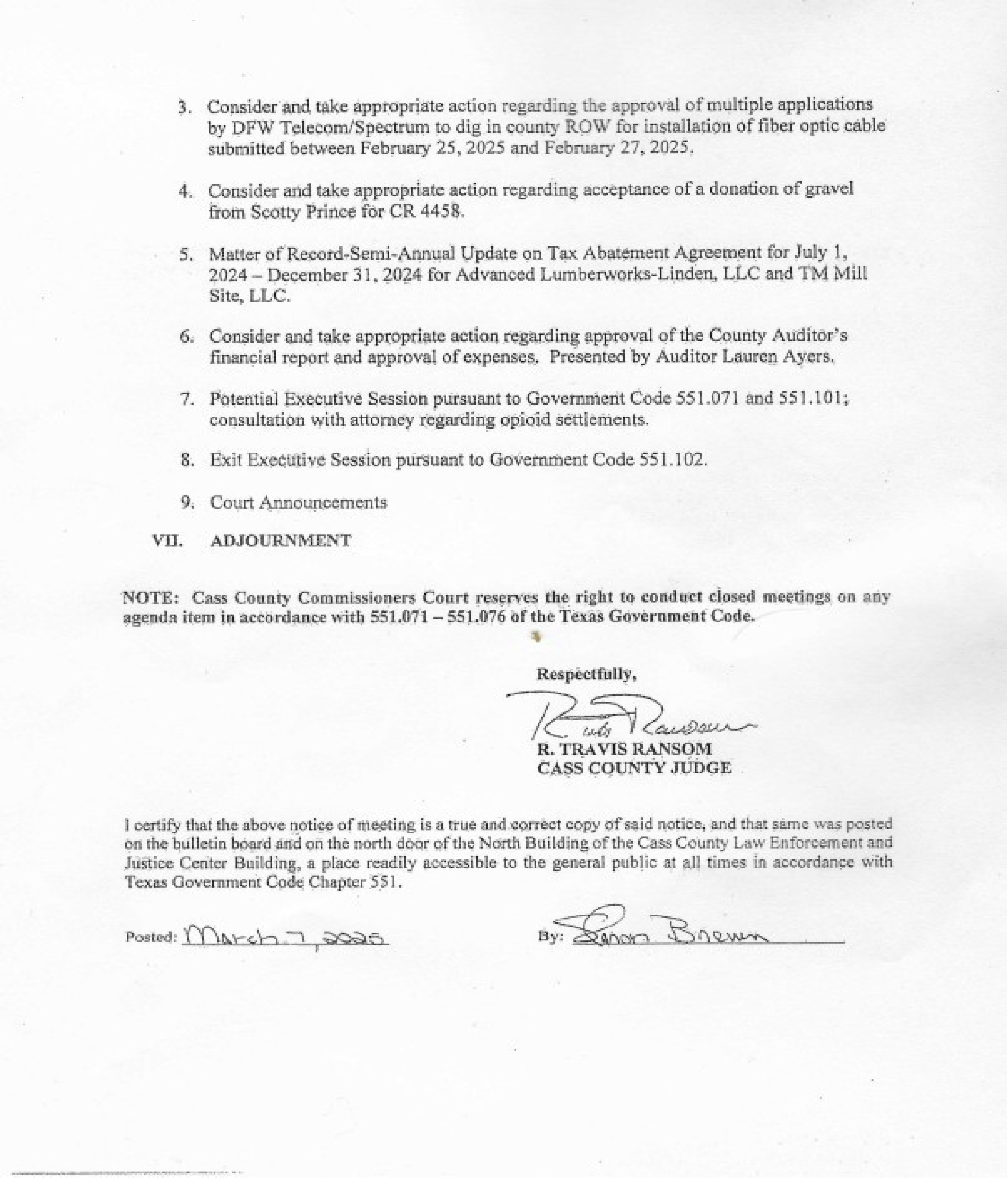
All matters listed under Consent Agenda are considered to be routine by the Commissioners Court and will be enacted by one motion without separate discussion. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

1. Consider and take appropriate action regarding approval of the minutes from the February 25, 2025 Commissioners Court Regular Session.
2. Consider and take appropriate action regarding approval of the deputation of Courtney Smith as a Deputy Clerk for the Tax Assessor-Collector and Steve Sutton as a Deputy Sheriff.

**VI. REGULAR AGENDA**

1. Matter of Record: Proclamation declaring March 2025 as Developmental Disabilities Awareness Month. Presented by Community Healthcore.
2. Consider and take appropriate action regarding approval of an Order declaring all future meetings of the Cass County Commissioners Court will convene at the Cass County Historic Courthouse, 100 E. Houston St., Linden.

**EXHIBIT A-3 - March 11, 2025 Commissioners Court Meeting Minutes (Final Page with Signature of County Judge R. Travis Ransom)**



3. Consider and take appropriate action regarding the approval of multiple applications by DFW Telecom/Spectrum to dig in county ROW for installation of fiber optic cable submitted between February 25, 2025 and February 27, 2025.

4. Consider and take appropriate action regarding acceptance of a donation of gravel from Scotty Prince for CR 4458.

5. Matter of Record-Semi-Annual Update on Tax Abatement Agreement for July 1, 2024 – December 31, 2024 for Advanced Lumberworks-Linden, LLC and TM Mill Site, LLC.

6. Consider and take appropriate action regarding approval of the County Auditor's financial report and approval of expenses. Presented by Auditor Lauren Ayers.

7. Potential Executive Session pursuant to Government Code 551.071 and 551.101; consultation with attorney regarding opioid settlements.

8. Exit Executive Session pursuant to Government Code 551.102.

9. Court Announcements

**VII. ADJOURNMENT**

**NOTE: Cass County Commissioners Court reserves the right to conduct closed meetings on any agenda item in accordance with 551.071 – 551.076 of the Texas Government Code.**

**Respectfully,**

**R. TRAVIS RANSOM**
**CASS COUNTY JUDGE**

I certify that the above notice of meeting is a true and correct copy of said notice, and that same was posted on the bulletin board and on the north door of the North Building of the Cass County Law Enforcement and Justice Center Building, a place readily accessible to the general public at all times in accordance with Texas Government Code Chapter 551.

Posted: March 7, 2025

By: [illegible] Brown

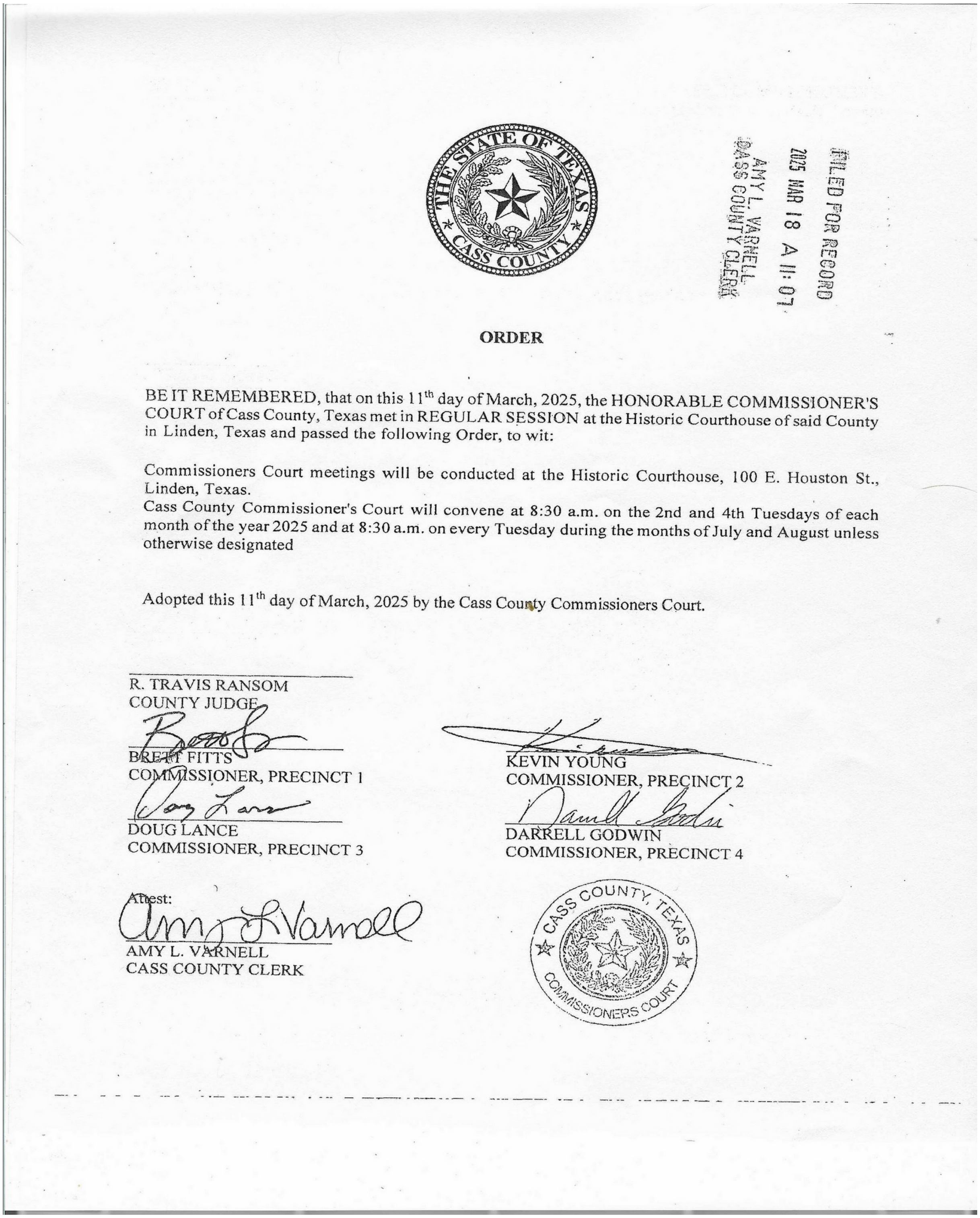
## EXHIBIT B - Unexecuted Order: Future Meetings at the Historic Courthouse (March 11, 2025)

This order was recorded as adopted by the Cass County Commissioners Court in regular session on March 11, 2025. It was attested by the County Clerk, sealed with the official seal of Cass County, and filed for record on March 18, 2025. The order establishes that all future meetings of the Commissioners Court are to be conducted at the Historic Courthouse, 100 East Houston Street, Linden, Texas.

This document determines the official meeting place of the Commissioners Court, and by law, the location where the Commissioners Court sits determines the lawful county seat. The order therefore fixes the Historic Courthouse as the seat of county government.

Although attested, sealed, and filed for record, the order was never executed by signature of the County Judge. The presiding signature line remains blank. The absence of the County Judge’s signature leaves the order legally unexecuted, creating a record in which the county seat was lawfully designated on paper but never carried out in practice. This unexecuted order stands as the clearest evidence of systemic nonexecution within Cass County’s official acts.

## EXHIBIT B - Unexecuted Order: Future Meetings at the Historic Courthouse (March 11, 2025)
## REGULAR AGENDA 2



FILED FOR RECORD
2025 MAR 18 A 11:07
AMY L. VARNELL
CASS COUNTY CLERK

### ORDER

BE IT REMEMBERED, that on this 11th day of March, 2025, the HONORABLE COMMISSIONER'S COURT of Cass County, Texas met in REGULAR SESSION at the Historic Courthouse of said County in Linden, Texas and passed the following Order, to wit:

Commissioners Court meetings will be conducted at the Historic Courthouse, 100 E. Houston St., Linden, Texas.
Cass County Commissioner's Court will convene at 8:30 a.m. on the 2nd and 4th Tuesdays of each month of the year 2025 and at 8:30 a.m. on every Tuesday during the months of July and August unless otherwise designated

Adopted this 11th day of March, 2025 by the Cass County Commissioners Court.

R. TRAVIS RANSOM
COUNTY JUDGE

BRETT FITTS
COMMISSIONER, PRECINCT 1

KEVIN YOUNG
COMMISSIONER, PRECINCT 2

Doug Lance
DOUG LANCE
COMMISSIONER, PRECINCT 3

Darrell Godwin
DARRELL GODWIN
COMMISSIONER, PRECINCT 4

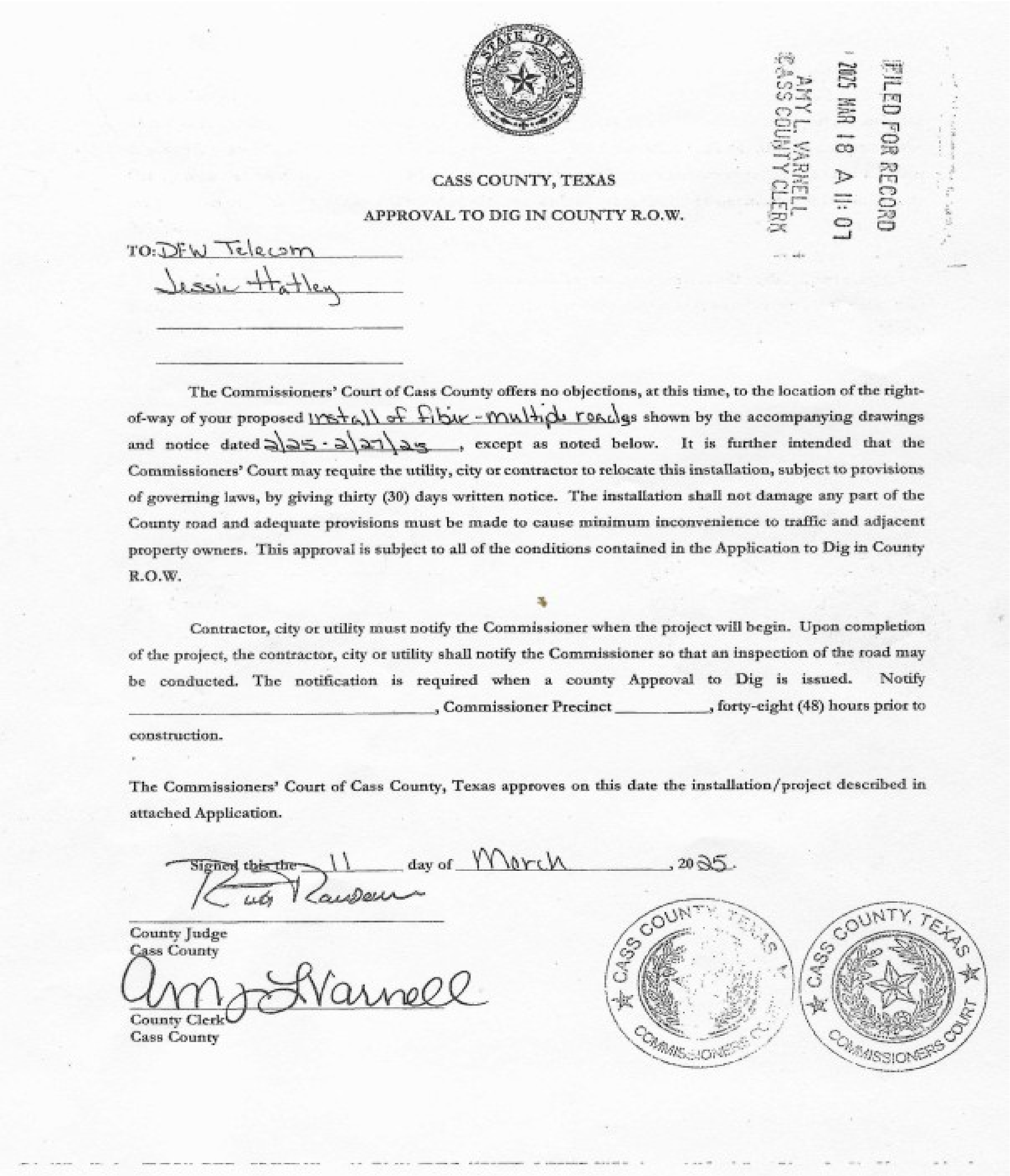
Attest:
Amy L Varnell
AMY L. VARNELL
CASS COUNTY CLERK

## Approval to Dig in County Right-of-Way (DFW Telecom / Spectrum)

On March 11, 2025, the Cass County Commissioners Court approved an application by DFW Telecom / Spectrum to install fiber-optic cable within county right-of-way. The order bears the signatures of the County Judge and County Clerk and was filed for record as part of the same session in which the Commissioners Court adopted the order designating the Historic Courthouse as its official meeting place. This document demonstrates that the Court’s actions from that session were executed and enforced when they concerned external contractors, confirming that the governing body was capable of carrying out its own decisions when it chose to do so. The contrast between this executed order and the unexecuted courthouse order establishes a pattern of selective performance.

**EXHIBIT D - Regular Agenda Item 3: Approval to Dig in County Right-of-Way**

(Signed by County Judge R. Travis Ransom)



FILED FOR RECORD
2025 MAR 18 A 11:07
AMY L. VARNELL
CASS COUNTY CLERK

CASS COUNTY, TEXAS

APPROVAL TO DIG IN COUNTY R.O.W.

TO: DFW Telecom
Jessie Hatley
____________________
____________________

The Commissioners' Court of Cass County offers no objections, at this time, to the location of the right-of-way of your proposed install of fiber - multiple roads as shown by the accompanying drawings and notice dated 2/25 - 2/27/25, except as noted below. It is further intended that the Commissioners' Court may require the utility, city or contractor to relocate this installation, subject to provisions of governing laws, by giving thirty (30) days written notice. The installation shall not damage any part of the County road and adequate provisions must be made to cause minimum inconvenience to traffic and adjacent property owners. This approval is subject to all of the conditions contained in the Application to Dig in County R.O.W.

Contractor, city or utility must notify the Commissioner when the project will begin. Upon completion of the project, the contractor, city or utility shall notify the Commissioner so that an inspection of the road may be conducted. The notification is required when a county Approval to Dig is issued. Notify ____________________, Commissioner Precinct ________, forty-eight (48) hours prior to construction.

The Commissioners' Court of Cass County, Texas approves on this date the installation/project described in attached Application.

Signed this the 11 day of March, 2025.

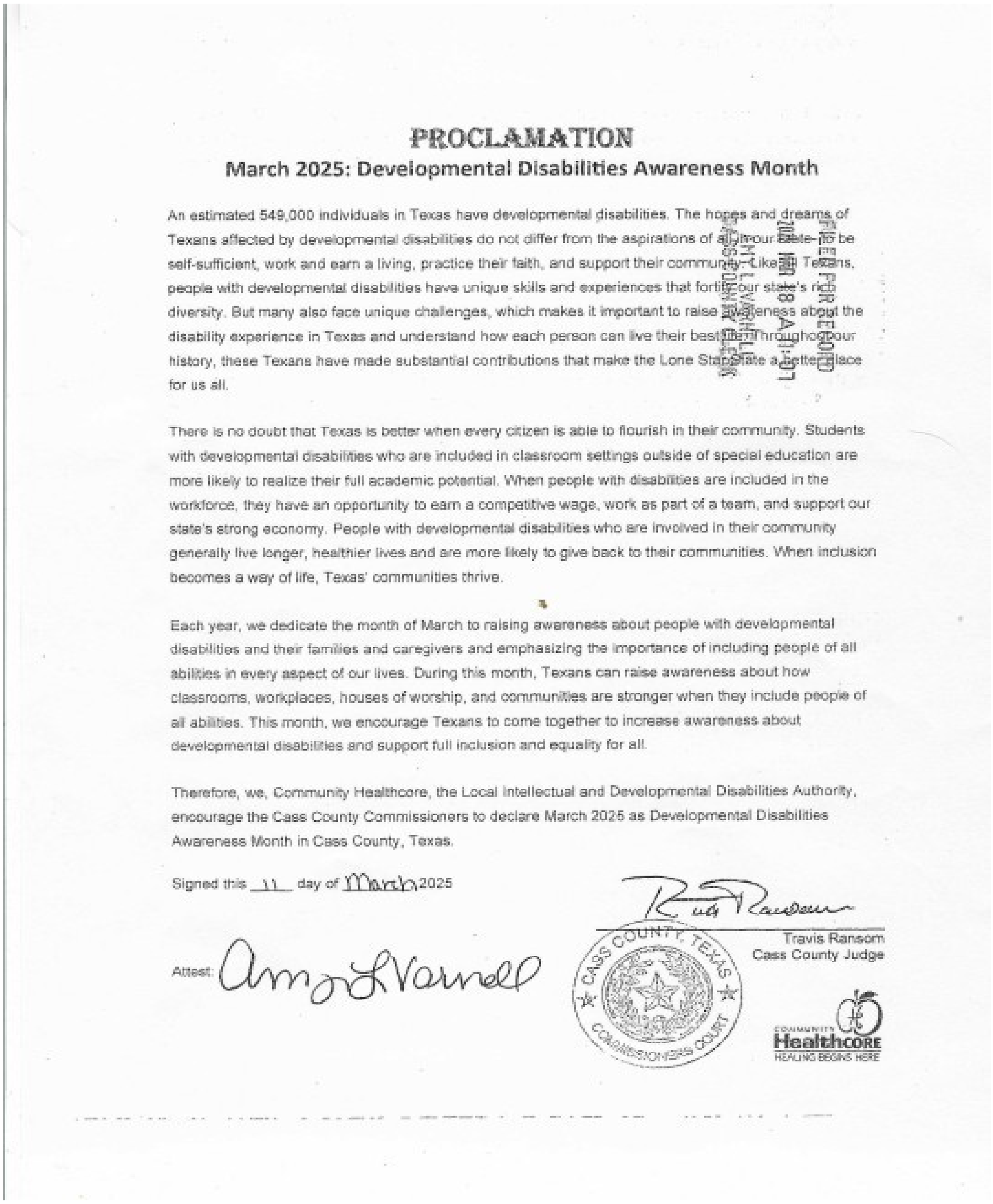
County Judge
Cass County

Amy L Varnell
County Clerk
Cass County

## Proclamation: Developmental Disabilities Awareness Month

During the same March 11, 2025 session, the Commissioners Court issued a proclamation recognizing March 2025 as Developmental Disabilities Awareness Month in Cass County. The proclamation was signed by the County Judge, attested by the County Clerk, and filed for record. This proclamation serves as additional evidence that the March 11 session produced valid and effective acts of record. The execution and filing of this proclamation, together with the right-of-way approval, confirms that the meeting was lawful in form and that the Court's decisions were enforceable - except for the one order concerning the courthouse itself.

**EXHIBIT E - Regular Agenda Item 1: Proclamation Declaring March 2025 as Developmental Disabilities Awareness Month (Signed by County Judge R. Travis Ransom on March 11, 2025)**



# PROCLAMATION

## March 2025: Developmental Disabilities Awareness Month

An estimated 549,000 individuals in Texas have developmental disabilities. The hopes and dreams of Texans affected by developmental disabilities do not differ from the aspirations of all in our state—to be self-sufficient, work and earn a living, practice their faith, and support their community. Like all Texans, people with developmental disabilities have unique skills and experiences that fortify our state's rich diversity. But many also face unique challenges, which makes it important to raise awareness about the disability experience in Texas and understand how each person can live their best life. Throughout our history, these Texans have made substantial contributions that make the Lone Star State a better place for us all.

FILED FOR RECORD
2025 MAR 18 A 11:07
AMY L. VARNELL
CASS COUNTY CLERK

There is no doubt that Texas is better when every citizen is able to flourish in their community. Students with developmental disabilities who are included in classroom settings outside of special education are more likely to realize their full academic potential. When people with disabilities are included in the workforce, they have an opportunity to earn a competitive wage, work as part of a team, and support our state's strong economy. People with developmental disabilities who are involved in their community generally live longer, healthier lives and are more likely to give back to their communities. When inclusion becomes a way of life, Texas' communities thrive.

Each year, we dedicate the month of March to raising awareness about people with developmental disabilities and their families and caregivers and emphasizing the importance of including people of all abilities in every aspect of our lives. During this month, Texans can raise awareness about how classrooms, workplaces, houses of worship, and communities are stronger when they include people of all abilities. This month, we encourage Texans to come together to increase awareness about developmental disabilities and support full inclusion and equality for all.

Therefore, we, Community Healthcore, the Local Intellectual and Developmental Disabilities Authority, encourage the Cass County Commissioners to declare March 2025 as Developmental Disabilities Awareness Month in Cass County, Texas.

Signed this 11 day of March 2025

Travis Ransom
Cass County Judge

Attest: Amy L Varnell

COMMUNITY Healthcore
HEALING BEGINS HERE

## IV. PUBLIC INFORMATION REQUEST SEQUENCE

### 1. Public Information Request (May 12 2025, VOL.1 pp 92)

On May 12 2025, Petitioner submitted a written request under the Texas Public Information Act, Chapter 552, seeking records confirming the existence and activity of the Cass County Court Security Committee from 2022 to the present, together with any ADA compliance audits, Texas Department of Licensing and Regulation correspondence, or Texas Historical Commission documents related to courthouse accessibility. The request identified by category all minutes, appointments, and communications demonstrating lawful operation of the committee or any structural justification for relocating court functions away from the Historic Courthouse.

### 2. Scope and Purpose of Request

The request was precise and confined to known statutory duties. It sought verification of compliance with state law rather than discretionary information. Notice was given that the request related to an active emergency petition pending in the 353rd Judicial District Court and that failure to provide records would be documented as evidence of procedural non-execution.

### 3. Absence of Response

No response or acknowledgment was received within the period prescribed by § 552.221(d). The failure to respond constituted a violation of the Public Information Act and demonstrated refusal to confirm the existence of any functioning Court Security Committee.

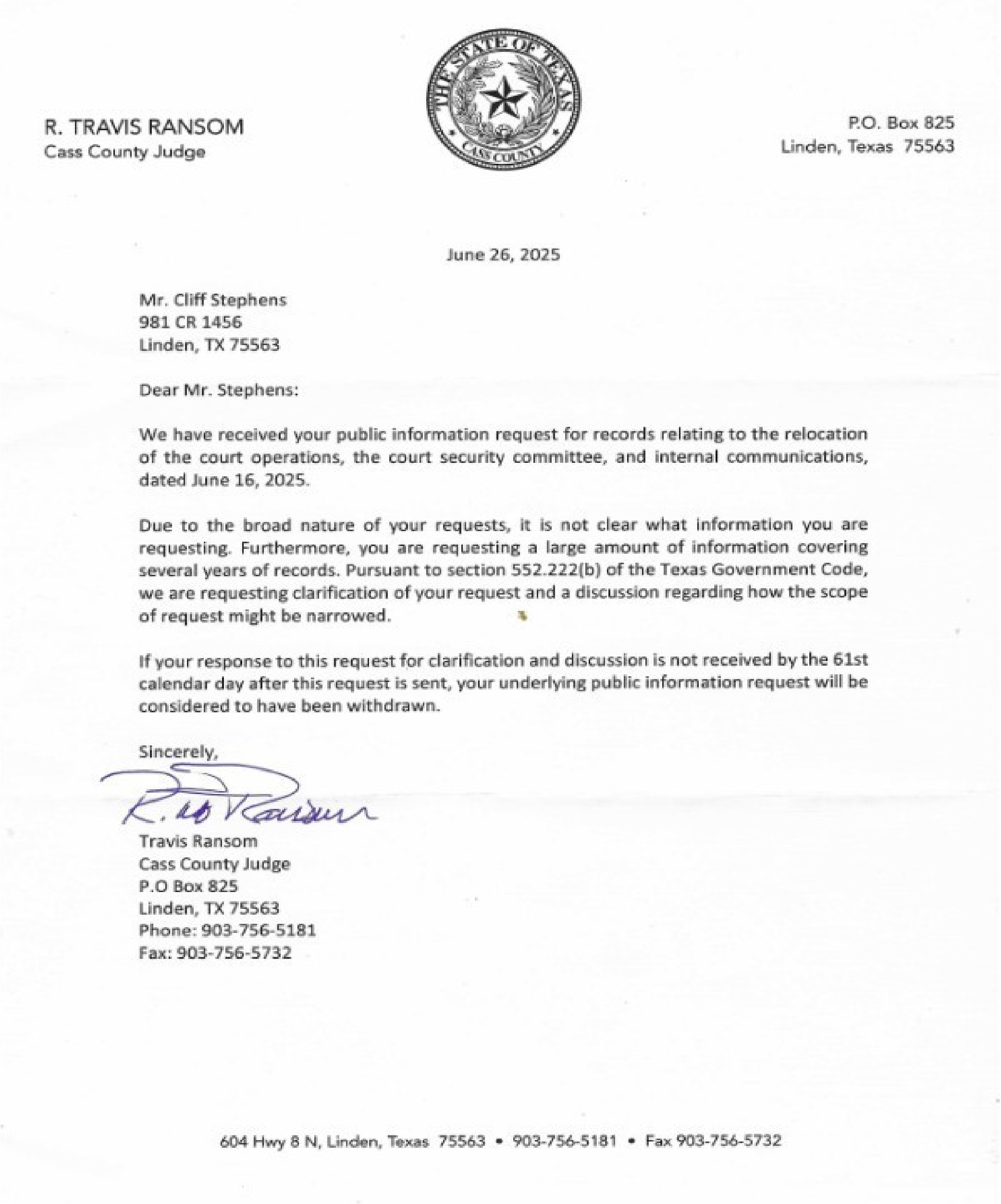
### 4. Second Request and Response (June 2025, VOL 1. pp. 231)

On June 16 2025, Petitioner resubmitted the inquiry, broadening it slightly to include internal communications concerning courthouse relocation. On June 26 2025, the Cass County Judge issued a letter citing § 552.222(b) and requesting “clarification,” although the scope of the original request was already limited to specific statutory subjects. No production of records or partial compliance followed.

### 5. Procedural Stress Test – ADA Compliance Inquiry (VOL. I pp. 168)

As a procedural test, the request for ADA documentation was designed to elicit a simple confirmation of a publicly known fact: the Cass County Courthouse was rededicated in 2012 and certified compliant with ADA standards by the Texas Historical Commission. County officials declined to provide even this minimal acknowledgment. The deliberate non-response, despite the public availability of the answer, evidences systemic procedural avoidance and institutional disengagement.

**EXHIBIT F - Correspondence from County Judge R. Travis Ransom (June 26, 2025): The Only Direct Communication Issued by the Presiding Authority in Response to Public Information Requests**



R. TRAVIS RANSOM
Cass County Judge

P.O. Box 825
Linden, Texas 75563

June 26, 2025

Mr. Cliff Stephens
981 CR 1456
Linden, TX 75563

Dear Mr. Stephens:

We have received your public information request for records relating to the relocation of the court operations, the court security committee, and internal communications, dated June 16, 2025.

Due to the broad nature of your requests, it is not clear what information you are requesting. Furthermore, you are requesting a large amount of information covering several years of records. Pursuant to section 552.222(b) of the Texas Government Code, we are requesting clarification of your request and a discussion regarding how the scope of request might be narrowed.

If your response to this request for clarification and discussion is not received by the 61st calendar day after this request is sent, your underlying public information request will be considered to have been withdrawn.

Sincerely,

Travis Ransom
Cass County Judge
P.O Box 825
Linden, TX 75563
Phone: 903-756-5181
Fax: 903-756-5732

604 Hwy 8 N, Linden, Texas 75563 • 903-756-5181 • Fax 903-756-5732

## V. FINDINGS AND ANALYSIS

### 1. Pattern of Selective Execution

The March 11, 2025 Commissioners Court agenda contained three principal actions under the Regular Session.

1. Approval for DFW Telecom and Spectrum to install fiber optic cable in county right-of-way.
2. Adoption of an order designating the Historic Courthouse at 100 East Houston Street in Linden as the official meeting place of the Commissioners Court.
3. Proclamation declaring March 2025 as Developmental Disabilities Awareness Month.

The first and third actions were signed by the County Judge, attested by the County Clerk, filed for record, and executed in full effect. The second action - the order establishing the Historic Courthouse as the lawful meeting place - was attested, sealed, and filed for record, but never executed by the County Judge.

The sequence within the same meeting record therefore proves selective execution. The Court carried out the first and third items, both routine and external, while leaving the central act concerning the lawful seat of government unexecuted. The meeting agenda itself demonstrates the pattern: the courthouse order stands between two validly executed acts, establishing a complete evidentiary chain of omission within a single session.

### 2. Pattern of Procedural Avoidance

On May 12, 2025, a lawful public information request was submitted under Chapter 552 of the Texas Government Code. The request sought documents showing the existence or activity of the Cass County Court Security Committee and any accessibility or structural justification for operating outside the Historic Courthouse. The request received no answer within the time required by law. A second request was submitted on June 16, 2025, and on June 26, 2025, a letter was issued by the County Judge requesting clarification instead of producing records. No records were ever provided.

No certification or date of production was issued. The failure to respond or certify within the required time constitutes a procedural omission under state law. The pattern of non-response and delay shows an ongoing avoidance of lawful record production.

### 3. Constructive Abandonment of the County Seat

The record shows that on March 11, 2025, the Cass County Commissioners Court adopted an order designating the Historic Courthouse at 100 East Houston Street in Linden as its official meeting place. The order was attested, sealed, and filed for record but was never executed by signature of the County Judge. The Commissioners Court has continued to meet and conduct official business in another building that has not been lawfully designated or recorded as the county seat. No order, resolution, or record of lawful relocation exists in the minutes of the Court or in the public record.

Texas Local Government Code Section 292.001 states:

> “Each county shall provide a courthouse and offices for county officers at the county seat.”

Texas Local Government Code Section 292.002 states:

> “If the courthouse is destroyed or if the county seat is changed, the commissioners court shall provide for a courthouse and offices at the new county seat.”

The courthouse stands intact and in serviceable condition. The statutory requirement to maintain county government and official offices at the county seat remains in full effect. The continued operation of the Commissioners Court outside the courthouse is a departure from this statutory requirement. The record shows that Cass County has abandoned the lawful county seat in operation while preserving it in record. The condition present in this case is constructive abandonment of the county seat.

### 4. Absence of a Lawfully Convened County Government

A Commissioners Court derives its authority from its lawful convening at the county seat as designated by statute and recorded order. Cass County’s current operations occur outside that lawful venue. The March 11, 2025 order remains unexecuted, and no lawful substitution has been made. Without a lawful seat, there can be no lawful convening authority. The county continues to act in administration without jurisdiction.

The record before the Court establishes that Cass County functions through recorded acts that have not been carried into execution. The lawful authority of county government depends upon execution of its own orders. Where execution ceases, lawful government ceases. The condition demonstrated in this record is that of a county existing in record but not in operation.

## VI. FEDERAL DUE PROCESS IMPLICATIONS

### 1. Deprivation of Lawful Venue and Access to Redress

The evidence establishes that Cass County has failed to execute its own recorded order designating the Historic Courthouse at 100 East Houston Street in Linden as the official meeting place of the Commissioners Court. The continued operation of county government from an undeclared facility removes all judicial and administrative functions from the lawful county seat. No lawful courthouse or secured forum presently exists for the exercise of public or judicial process.

The Fourteenth Amendment to the Constitution of the United States provides that no State shall "deprive any person of life, liberty, or property, without due process of law." Due process requires not only notice and procedure but also a lawful forum within which process may occur. When a county fails to maintain its courthouse and its seat of government as required by law, it deprives all residents of lawful venue and redress. In this condition, no citizen can be assured of a valid proceeding, because the authority of the court depends upon lawful venue.

### 2. Governance by Administrative Fiction: County in Name Only

Cass County continues to issue documents, hold meetings, and record filings. Each of these acts occurs outside the lawful seat of government. The government of the county therefore exists only in its paperwork and not in its lawful place. This is governance by administrative fiction. The form of authority continues, but its substance has been lost. The signatures, seals, and certifications remain, but the seat of jurisdiction has been abandoned. The county acts without physical or legal foundation, functioning as a county in name only.

The deprivation at issue is not theoretical. The record shows a continuous failure to provide a courthouse, a functioning Court Security Committee, or compliance with orders that define lawful venue. Without these, the exercise of power has no jurisdictional root. The absence of a lawful seat nullifies due process at its origin.

### 3. Application of 42 U.S.C. § 1983

Title 42, United States Code, Section 1983 provides:

> “Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress.”

The record demonstrates state action under color of law resulting in the deprivation of rights secured by the Constitution. Cass County and its officers continue to operate as if lawfully constituted while disregarding the statutory requirements that define their jurisdiction. The acts of record, taken in form but not in execution, constitute state action that deprives residents of due process, lawful venue, and redress.

Through this condition, the petitioner and all persons within the jurisdiction of Cass County are denied the rights guaranteed by the Fourteenth Amendment. The operation of a government that exists only in record and not in lawful execution results in a continuing violation of constitutional due process.

## VII. REQUESTED RELIEF AND RECOMMENDATION TO THE COURT

### 1. Judicial Recognition of Systemic Nonexecution

The record before the Court establishes that Cass County has failed to execute its own recorded orders. The order designating the Historic Courthouse at 100 East Houston Street in Linden as the lawful meeting place of the Commissioners Court remains unexecuted. The Court is asked to recognize as fact that Cass County operates outside the authority of its recorded acts and that this condition constitutes systemic nonexecution within county government.

Judicial recognition of this fact is necessary to preserve the integrity of the state record and to protect the public from the continued exercise of authority without lawful execution. Recognition of systemic nonexecution confirms that no lawful courthouse, venue, or county seat is presently functioning within Cass County.

### 2. Certification of Record for Federal Consideration

The petitioner requests that the Court certify this filing, together with its attached and cited documents, as a true and complete evidentiary record. The certified record will serve as the factual basis for review under Title 42 United States Code Section 1983. Certification will confirm that the evidence presented is authentic, was filed within lawful process, and reflects the official condition of Cass County government as it stands.

Certification of record is sought under the Court’s inherent authority to preserve the integrity of its own proceedings and to ensure that the factual sequence of state action and omission is accurately transmitted for federal examination.

### 3. Direction to State Respondents to Cure or Show Cause

The petitioner requests that the Court direct the respondents, the Texas Department of Emergency Management and Cass County, to cure or show cause regarding the condition of nonexecution established in this record. The respondents should be ordered to provide written confirmation of compliance with Texas Government Code Sections 292.001 and 292.002, identifying the lawful courthouse, the location of the county seat, and the status of the Cass County Court Security Committee.

If the respondents cannot demonstrate compliance, the Court should enter a finding that Cass County lacks a lawful venue of government and that state oversight is required to restore lawful process.

The condition before the Court is ongoing and present. The petitioner seeks immediate acknowledgment of this state of nonexecution and certification of the record for federal review so that lawful authority may be restored and the rights of all citizens protected under due process of law.

## VIII. CONCLUSION

The record before the Court is complete and verified. Each document, order, and communication presented in this filing establishes a single, continuous condition within Cass County government. Orders have been adopted, recorded, and filed under seal. Those same orders have not been executed. The county continues to act outside the authority of its own recorded acts.

The evidence confirms that the lawful seat of government has been identified but not restored, that the Court Security Committee remains inactive, and that public information requests have gone unanswered. The absence of execution has resulted in the absence of lawful government. The record demonstrates that no functioning courthouse, venue, or security authority presently exists under law in Cass County. Declarations of civil emergencies involving public safety have been ignored, and no lawful response has been issued by the responsible authorities.

The petitioner has supplied the Court with the full evidentiary chain required to certify these facts for federal review. The condition now stands as a matter of record. The lawful response is recognition, certification, and oversight. The purpose of this filing is to return the county to lawful order and to restore due process for every citizen affected.

The evidence is complete. The facts are established. The need for oversight is present and continuing.

**Generally,**
**Cliff Stephens**
Petitioner, *Pro Se*
Linden Tx, 75563

10/20/2025 3:17 PM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Victoria Benavides

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

Cliff Stephens

PETITIONER

V

TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

and CASS COUNTY

RESPONDENTS

# Affidavit of Personal Inspection and Verification of Non-Execution

(March 11 2025 Order)

TO THE HONORABLE JUDGE OF SAID COURT

Cliff Stephens, pro se petitioner, files this verified statement to supplement the Emergency Record in the above-entitled cause. The purpose of this filing is to document the status of the March 11 2025 Commissioners Court order adopted in Cass County Texas.

On October 20 2025, I conducted a personal inspection of the records maintained by the Cass County Clerk at the Cass County Courthouse in Linden Texas. The inspection included the Commissioners Court agendas, minutes, and executed orders covering and following the meeting of March 11 2025. The record set for that meeting contains the order designating the Historic Courthouse at 100 East Houston Street Linden Texas as the county seat. The order is attested and filed and the line for the County Judge’s signature is blank.

The records for the same meeting contain other items that bear the County Judge’s signature, including the right of way approval and the developmental proclamation. These items are executed and recorded. The records for subsequent 2025 Commissioners Court meetings list regular sessions held under the same docket series. No entry in those records shows a signed or executed version of the March 11 2025 order.

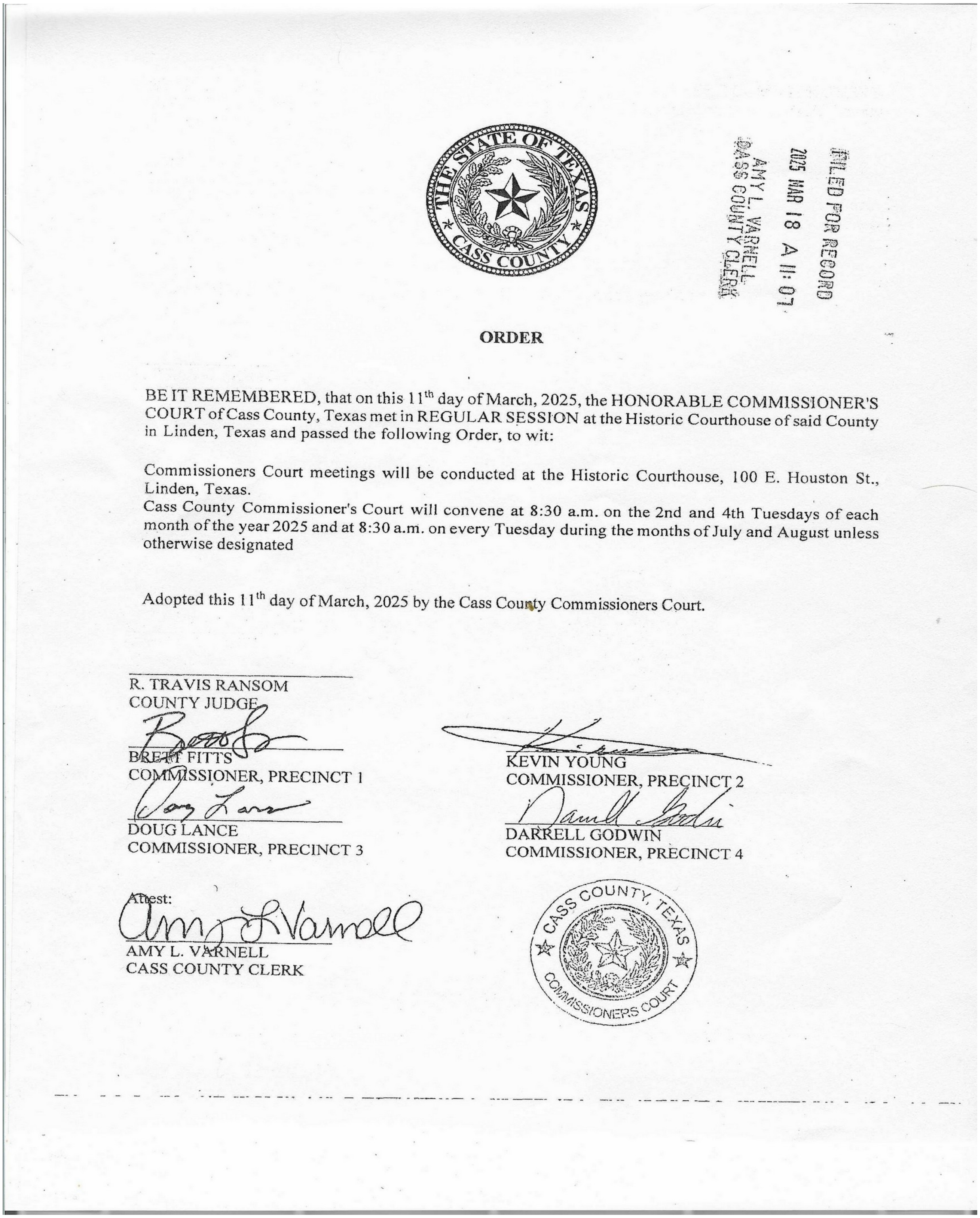
The March 11 2025 order exists in attested form and remains *unexecuted* in the official record of Cass County. This affidavit supplements Volumes I and II of the Emergency Record in this cause.

DECLARATION

I declare under penalty of perjury that the foregoing statement is true and correct.
Executed on this 20th day of October 2025 in Linden Texas.

/s/ Cliff Stephens
Cliff Stephens
Pro Se Petitioner
Linden Texas

Exhibit of March 11 2025 Order



FILED FOR RECORD
2025 MAR 18 A 11:07
AMY L. VARNELL
CASS COUNTY CLERK

## ORDER

BE IT REMEMBERED, that on this 11th day of March, 2025, the HONORABLE COMMISSIONER'S COURT of Cass County, Texas met in REGULAR SESSION at the Historic Courthouse of said County in Linden, Texas and passed the following Order, to wit:

Commissioners Court meetings will be conducted at the Historic Courthouse, 100 E. Houston St., Linden, Texas.

Cass County Commissioner's Court will convene at 8:30 a.m. on the 2nd and 4th Tuesdays of each month of the year 2025 and at 8:30 a.m. on every Tuesday during the months of July and August unless otherwise designated

Adopted this 11th day of March, 2025 by the Cass County Commissioners Court.

R. TRAVIS RANSOM
COUNTY JUDGE

BRETT FITTS
COMMISSIONER, PRECINCT 1

KEVIN YOUNG
COMMISSIONER, PRECINCT 2

Doug Lance
DOUG LANCE
COMMISSIONER, PRECINCT 3

Darrell Godwin
DARRELL GODWIN
COMMISSIONER, PRECINCT 4

Attest:
Amy L Varnell
AMY L. VARNELL
CASS COUNTY CLERK

10/20/2025 5:54 PM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Norma Ybarra

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

Cliff Stephens

PETITIONER

V

TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

and CASS COUNTY

RESPONDENTS

# Notice of Procedural Contradiction (Supplemental Verification)

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**Exhibit P-3** - Microsoft Outlook Non-Delivery Report (NDR) to *supreme@txcourts.gov*

**Exhibit P-4** - Email to Clerk Blake Hawthorne (Unanswered Correspondence)

TO THE HONORABLE JUDGE OF SAID COURT,

## 1. PURPOSE

This filing supplements the Emergency Record with verified evidence demonstrating the following:

1. The Supreme Court of Texas, in its publicly posted *Filing Requirements* page, states that the Clerk's Office may accept an advance copy of an emergency filing by e-mail.
2. On October 20, 2025, during a telephone conversation with the Office of the Clerk of the Supreme Court, Ms. Kristen Colby stated that no e-mail process exists for the submission of filings and instructed that all materials be either filed through the eFileTexas portal or mailed to P.O. Box 12248, Austin, Texas.
3. The current operational structure of the Supreme Court of Texas recognizes only these two filing methods - postal mail and the eFileTexas portal - and lacks a verified, redundant communication channel for the transmission or acknowledgment of emergency filings as required under standard emergency-management protocols.

## 2. SUPPORTING MATERIALS (Exhibits)

The following exhibits are attached in support of this filing and incorporated into the Emergency Record by reference:

1. EXHIBITP - *Affidavit of Conversation with Ms. Kristen Colby,* documenting the petitioner's October 20, 2025 telephone communication with the Office of the Clerk of the Supreme Court of Texas.
2. EXHIBITP-1 - *Excerpt from the Supreme Court of Texas website,* "Filing Requirements" page, FAQ section, containing the published statement:

   > "In an emergency, the Clerk's Office may accept an advance copy of a motion for emergency relief or other filing by e-mail."

3. EXHIBIT P-2 - *Excerpt from the Texas Young Lawyers Association (TYLA) Guide, "How to eFile Documents,"* confirming that the term "electronic filing" refers exclusively to use of the eFileTexas portal and that no alternative electronic channel is defined or authorized.
4. EXHIBIT P-3 - *Non-Delivery Report (NDR):* Copy of the Microsoft Outlook message dated October 20, 2025, confirming rejection of petitioner's e-mail to *supreme@txcourts.gov* with status code 550 5.4.1 "Recipient address rejected: Access denied." This exhibit demonstrates that petitioner's attempt to transmit an emergency filing by e-mail was technically blocked at the domain level within the txcourts.gov mail system, proving that although the Court's website authorizes emergency filings by e-mail, no functional mailbox exists to receive them.

5. **Exhibit P-4** - *Email to Clerk Blake Hawthorne (Unanswered Correspondence):* Copy of petitioner's October 20, 2025 message to *blake.hawthorne@txcourts.gov,* copied to *supreme@txcourts.gov*, asking whether either address actively receives emergency correspondence on behalf of the Supreme Court. As of 1700 hours (5:00 P.M.) that same day, no response or acknowledgment had been received. The transmission produced no error or bounce notification, confirming delivery to the txcourts.gov system but no subsequent reply. This exhibit further verifies the absence of an operational emergency-communication channel.

**EXHIBIT P** : Affidavit Regarding Emergency Filing Communication with the Supreme Court of Texas

TO THE HONORABLE JUDGE OF SAID COURT:

I, Cliff Stephens, being duly sworn, hereby state under penalty of perjury as follows:

1. On October 20, 2025, at approximately 3:29 P.M. (CDT), I placed a telephone call to (512) 463-1312, the publicly listed number for the Office of the Clerk of the Supreme Court of Texas.
2. My call was answered by Ms. Kristen Colby, who identified herself as a member of the Clerk's staff. I informed Ms. Colby that I had an emergency filing to forward to the Supreme Court for review and requested the appropriate e-mail address for its transmission.
3. Ms. Colby's first question to me was, *"Are you a lawyer or pro se?"* I replied by asking what relevance membership in the legal bar had to an emergency filing.
4. Ms. Colby then stated that no e-mail process exists for the submission of filings and instructed that all materials be either filed through the eFileTexas.gov portal or mailed to P.O. Box 12248, Austin, Texas 78711.
5. I asked whether the filing could instead be transmitted directly to a federal judge or to an e-mail address she could provide. Ms. Colby reaffirmed that no process exists by which any party or entity may e-mail an official capable of handling emergency filings within the Supreme Court of Texas, and that all emergency filings must be sent to the P.O. Box or submitted through eFileTexas.gov.
6. Ms. Colby further stated that there is no mention of any e-mail address on the Supreme Court's website for this purpose and remained certain that the petitioner's emergency filing should be transmitted only by mail or through the e-filing portal.

7. This affidavit is submitted to verify the content of that conversation and to document the absence of a direct or verifiable electronic channel for emergency communication with the Supreme Court of Texas.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 20, 2025, in Travis County, Texas.

/s/ Cliff Stephens

Pro Se Petitioner

## 3. FINDINGS ASSERTED

1. Contradiction Identified

   The oral statement made by Ms. Kristen Colby of the Office of the Clerk of the Supreme Court of Texas - that *“no process exists whereby any party may e-mail an official capable of handling emergency filings”* - is inconsistent with the Court’s publicly posted *Filing Requirements* page, which authorizes the Clerk’s Office, in an emergency, to accept an advance copy of a motion or other filing by e-mail.

2. Redundancy Failure

   The operational framework of the Supreme Court of Texas provides only two official intake routes for filings - postal mail and the eFileTexas electronic-filing portal. The absence of a live, verifiable communication or acknowledgment channel for emergency filings constitutes a failure of redundancy when measured against standard emergency-management communication design, which requires multiple, independent, and immediately verifiable lines of transmission.

3. Systemic Consistency with Prior Evidence

   The condition described above reflects the same pattern of procedural non-execution previously documented in Cass County, where filings were received without verification and remained unexecuted beyond acceptable administrative intervals. The recurrence of this failure at both county and state levels establishes continuity in the systemic breakdown of verified process within the State of Texas judicial structure.

## 4. RELIEF REQUESTED

Petitioner does not seek adjudicatory relief at this time. This filing is submitted for the purpose of preserving procedural evidence and placing the Court on formal notice of a documented contradiction within the State’s emergency filing framework that affects access to judicial relief during emergency conditions.

Petitioner respectfully requests that this Supplemental Statement of Procedural Contradiction and Redundancy Failure, together with its attached exhibits, be accepted for filing and entered into the docket as part of the continuing Emergency Record maintained in this cause.

Generally,

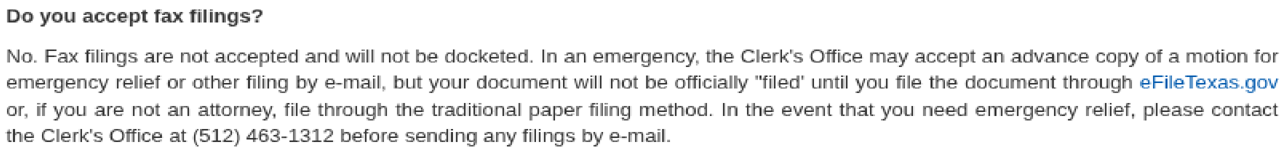
Cliff Stephens
Petitonier Pro se
Linden, Tx 75563

***EXHIBITP-1*** *Excerpt from the Supreme Court of Texas website, "Filing Requirements" page, FAQ section, containing the published statement:*

*"In an emergency, the Clerk's Office may accept an advance copy of a motion for emergency relief or other filing by e-mail."*

*WEBLINK: https://www.txcourts.gov/supreme/practice-before-the-court/*

EXHIBITP-1 Screenshot:



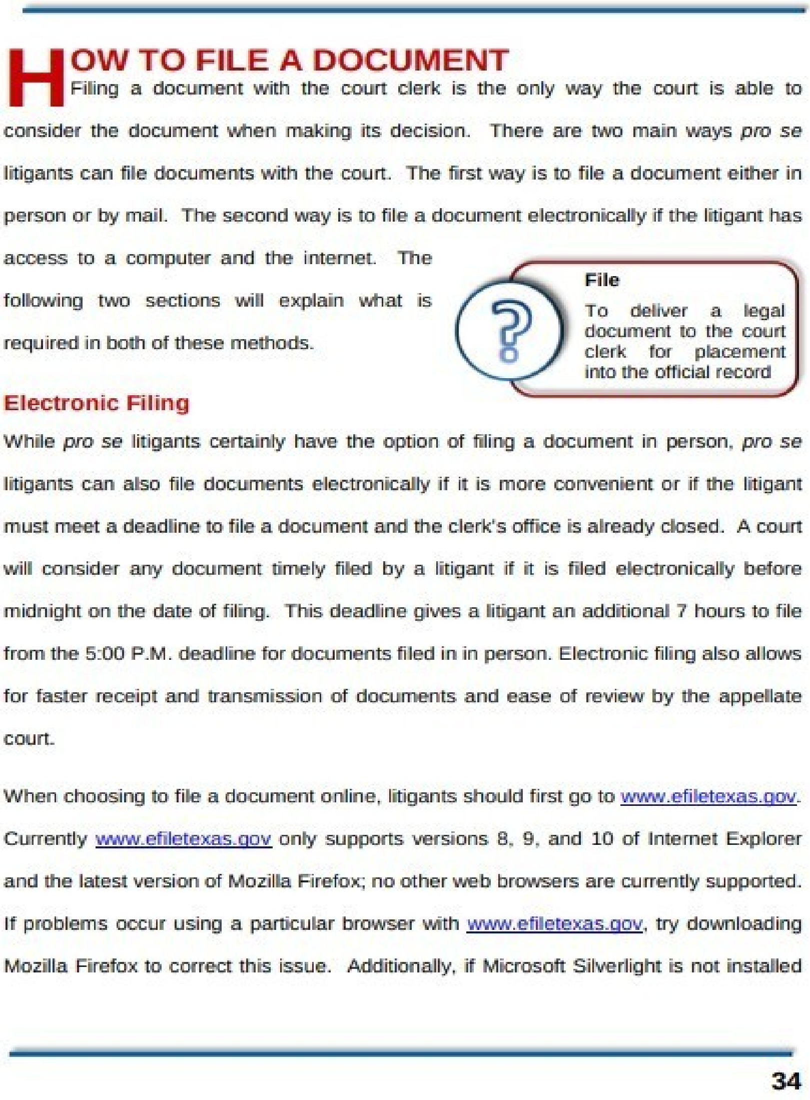
**Do you accept fax filings?**

No. Fax filings are not accepted and will not be docketed. In an emergency, the Clerk's Office may accept an advance copy of a motion for emergency relief or other filing by e-mail, but your document will not be officially "filed' until you file the document through eFileTexas.gov or, if you are not an attorney, file through the traditional paper filing method. In the event that you need emergency relief, please contact the Clerk's Office at (512) 463-1312 before sending any filings by e-mail.

**EXHIBIT P-2** *Excerpt from the Texas Young Lawyers Association (TYLA) Guide, "How to eFile Documents," pages 34 - 35.*

> This guide, published under the authority of the Supreme Court of Texas, defines "electronic filing" solely as the use of the eFileTexas.gov system. It contains no reference to e-mail or any alternative electronic submission method. This confirms that the judiciary's operational definition of "electronic filing" is limited to a single portal, establishing the lack of a redundant or immediately verifiable emergency-transmission channel within the court's filing infrastructure.

EXHIBITP-2 Screenshot



## HOW TO FILE A DOCUMENT

Filing a document with the court clerk is the only way the court is able to consider the document when making its decision. There are two main ways *pro se* litigants can file documents with the court. The first way is to file a document either in person or by mail. The second way is to file a document electronically if the litigant has access to a computer and the internet. The following two sections will explain what is required in both of these methods.

**File**
To deliver a legal document to the court clerk for placement into the official record

### Electronic Filing

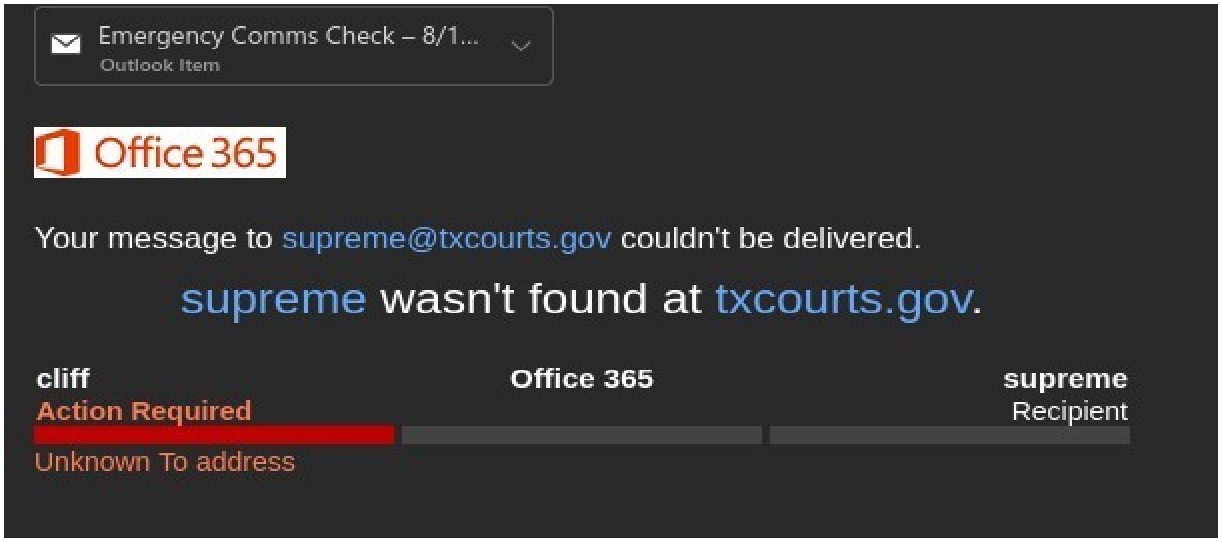
While *pro se* litigants certainly have the option of filing a document in person, *pro se* litigants can also file documents electronically if it is more convenient or if the litigant must meet a deadline to file a document and the clerk's office is already closed. A court will consider any document timely filed by a litigant if it is filed electronically before midnight on the date of filing. This deadline gives a litigant an additional 7 hours to file from the 5:00 P.M. deadline for documents filed in in person. Electronic filing also allows for faster receipt and transmission of documents and ease of review by the appellate court.

When choosing to file a document online, litigants should first go to www.efiletexas.gov. Currently www.efiletexas.gov only supports versions 8, 9, and 10 of Internet Explorer and the latest version of Mozilla Firefox; no other web browsers are currently supported. If problems occur using a particular browser with www.efiletexas.gov, try downloading Mozilla Firefox to correct this issue. Additionally, if Microsoft Silverlight is not installed

**Exhibit P-3** - Non-Delivery Report (NDR): Copy of the Microsoft Outlook message dated October 20, 2025, confirming rejection of petitioner’s email to *supreme@txcourts.gov* with status code 550 5.4.1 “Recipient address rejected: Access denied.”

**Exhibit P-3 Relevance Statement:**
The Outlook non-delivery report demonstrates that petitioner’s attempt to transmit an emergency filing by email to the Supreme Court of Texas was technically blocked at the domain level. The rejection occurred within the *txcourts.gov* mail system, proving that although the Court’s website authorizes emergency filings by email, no functional mailbox exists to receive them. This evidence confirms an operational contradiction between published policy and actual system behavior, substantiating the procedural failure described in this Notice.

**EXHIBIT P-3.1 Screenshot**

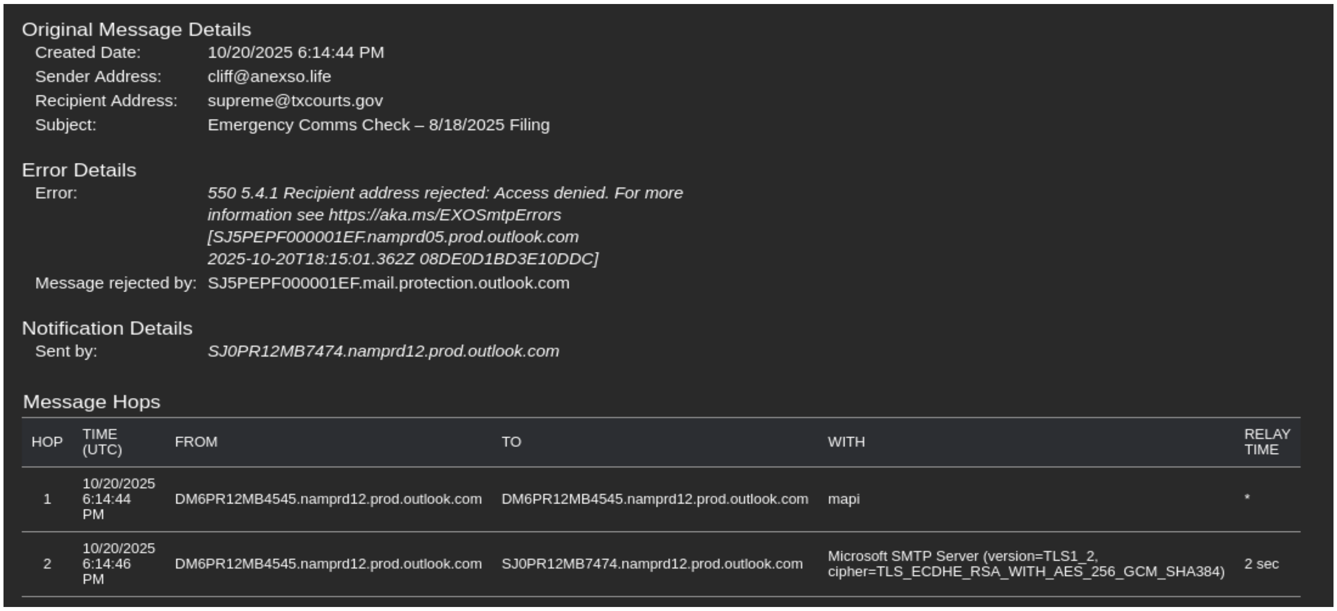


Your message to supreme@txcourts.gov couldn't be delivered.

supreme wasn't found at txcourts.gov.

| cliff | Office 365 | supreme |
|---|---|---|
| Action Required | | Recipient |
| Unknown To address | | |

# EXHIBIT P-3.2 Screenshot



### Original Message Details

Created Date: 10/20/2025 6:14:44 PM
Sender Address: cliff@anexso.life
Recipient Address: supreme@txcourts.gov
Subject: Emergency Comms Check – 8/18/2025 Filing

### Error Details

Error: *550 5.4.1 Recipient address rejected: Access denied. For more information see https://aka.ms/EXOSmtpErrors [SJ5PEPF000001EF.namprd05.prod.outlook.com 2025-10-20T18:15:01.362Z 08DE0D1BD3E10DDC]*
Message rejected by: SJ5PEPF000001EF.mail.protection.outlook.com

### Notification Details

Sent by: *SJ0PR12MB7474.namprd12.prod.outlook.com*

### Message Hops

| HOP | TIME (UTC) | FROM | TO | WITH | RELAY TIME |
|---|---|---|---|---|---|
| 1 | 10/20/2025 6:14:44 PM | DM6PR12MB4545.namprd12.prod.outlook.com | DM6PR12MB4545.namprd12.prod.outlook.com | mapi | * |
| 2 | 10/20/2025 6:14:46 PM | DM6PR12MB4545.namprd12.prod.outlook.com | SJ0PR12MB7474.namprd12.prod.outlook.com | Microsoft SMTP Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_GCM_SHA384) | 2 sec |

**EXHIBIT P-4** - Email to Clerk Blake Hawthorne (Unanswered Correspondence)

On October 20, 2025, at 1:14 P.M. (CDT), petitioner sent an email to Clerk Blake Hawthorne at *blake.hawthorne@txcourts.gov*, with a courtesy copy to *supreme@txcourts.gov*.

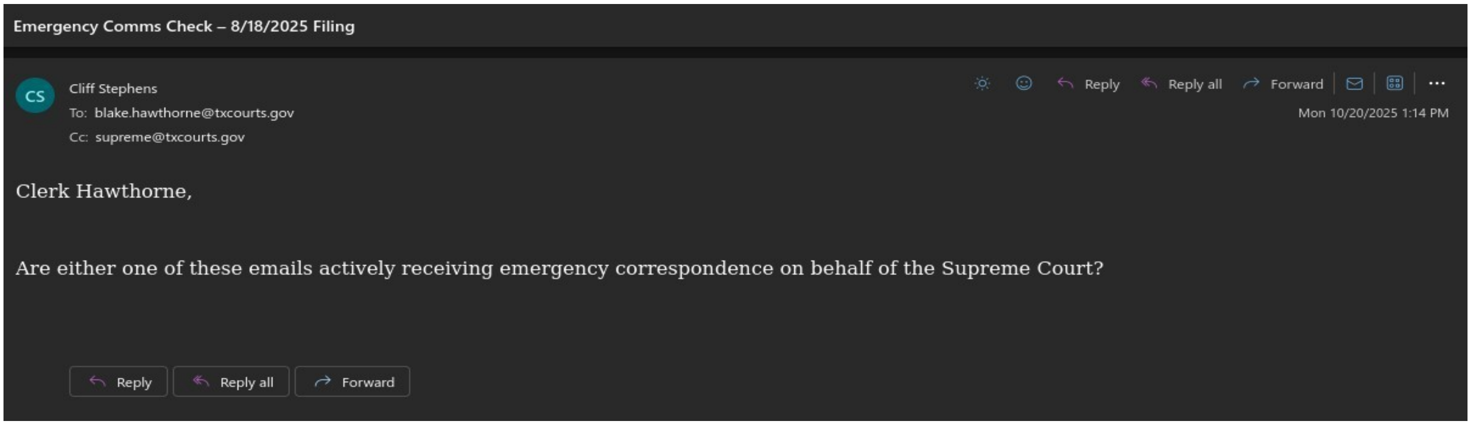
The message, titled "Emergency Comms Check - 8/18/2025 Filing," stated:

> *Clerk Hawthorne,*
>
> *Are either one of these emails actively receiving emergency correspondence on behalf of the Supreme Court?*

As of 1700 hours (5:00 P.M.) on October 20, 2025, no response or acknowledgment had been received from Clerk Hawthorne or any representative of the Supreme Court of Texas.

The transmission produced no error or bounce notification, confirming successful delivery to the *txcourts.gov* mail system but no subsequent reply.

**EXHIBIT P-4 Screenshot**



Emergency Comms Check – 8/18/2025 Filing

CS

Cliff Stephens

To: blake.hawthorne@txcourts.gov

Cc: supreme@txcourts.gov

Mon 10/20/2025 1:14 PM

Clerk Hawthorne,

Are either one of these emails actively receiving emergency correspondence on behalf of the Supreme Court?

10/27/2025 8:50 PM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Selina Hamilton

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

Cliff Stephens

PETITIONER

V

TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

and CASS COUNTY

RESPONDENTS

# NOTICE OF PROCEDURAL DISCREPANCY IN CLERK'S RECORD

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Appendix B – Texas Rule of Appellate Procedure 34.5(c)
Appendix C – Texas Constitution, Article I, Section 19
Appendix D – United States Constitution, Amendment XIV, Section 1

TO THE HONORABLE JUDGE OF SAID COURT:

1. Identification of Record  Petitioner received from the Travis County District Clerk the certified Clerk's Record labeled:  CONF#13531 D-1-GN-25-002397_Volume_1-1.pdf, representing the official record in this cause.
2. Chronological Anomaly  Petitioner observed that the record as compiled is not presented in true chronological order.  Specifically, the Supplemental Statement of Facts (file-stamped May 27, 2025 at 1:17 A.M.) and the Amended Prayer for Relief (file-stamped May 27, 2025 at 1:53 A.M.) both precede the Respondent's Response and Motion (file-stamped May 27, 2025 at 1:36 P.M.).  In the certified record, these petitioner filings appear after the Respondent's response, inverting the actual sequence by more than twelve hours.
3. Procedural and Constitutional Effect  Under Texas Rule of Civil Procedure 65, the Amended Prayer for Relief superseded the original petition, rendering any subsequent response to the prior pleading legally moot.  By reversing this order, the record gives the appearance that the Respondent's filing answered a live petition when, in fact, it did not.  This misrepresentation alters the procedural truth of the case and, if left uncorrected, deprives Petitioner of fair process as guaranteed by Article I, Section 19 of the Texas Constitution and the Fourteenth Amendment to the U.S. Constitution.  Accurate sequencing is essential for appellate review, administrative oversight, and preservation of public confidence in the judicial record.
4. Request for Administrative Clarification  Petitioner respectfully requests that the Clerk review the file-stamp metadata and correct or supplement the record to reflect the true chronological order of filings pursuant to Texas Rule of Appellate Procedure 34.5(c).  If the Clerk determines that the present order is intentional or system-generated, Petitioner requests written certification describing that basis.  Petitioner further requests that any corrected or certified supplement be transmitted to all parties and incorporated into the case record for appellate and federal review.

5. Purpose of Filing  This Notice is submitted to preserve the procedural integrity of the record and to document the discrepancy for any higher-court examination.  Petitioner makes no accusation of wrongdoing, but seeks confirmation that the official record accurately reflects the sequence of filings upon which this and related federal matters depend.

Respectfully submitted,

Cliff Stephens

Pro Se Petitioner

Linden Tx, 75563

## **APPENDIX A** - TEXAS RULE 65 (APPLIED)

### Text of Rule 65 - Substituted Instrument Takes Place of Original

> "Unless the substituted instrument shall be set aside on exceptions, the instrument for which it is substituted shall no longer be regarded as a part of the pleading in the record of the cause, unless some error of the court … be complained of … or unless it be necessary to look to the superseded pleading upon a question of limitation."
>
> *Tex. R. Civ. P. 65 (2025 ed.).*

Meaning. When a party files an amended or substituted pleading that is accepted by the clerk and not set aside, that pleading immediately *supersedes* the earlier one. The prior pleading is removed from the live record and may not be answered or relied upon except for limited historical purposes such as limitations.

Application to This Case. Petitioner's *Amended Prayer for Relief*, filed and accepted at 1:53 A.M. on May 27, 2025, became the operative pleading under Rule 65. Respondents' *Response*, file-stamped 1:36 P.M. the same day, was directed to a superseded petition and is therefore procedurally moot. Any clerk's record that inverts these timestamps misrepresents the procedural sequence and requires correction under *Tex. R. App. P. 34.5(c)*.

Effect. At the moment of Respondents' filing, the only live pleading before the court was the amended one. Under Rule 65, Respondents' jurisdictional response carries no legal effect, and any ruling based upon it rests on an inaccurate procedural record.

Procedural Note on Timing and Emergency Context:

Respondents' filing sequence is the predictable byproduct of operating outside emergency-management standards. The original petition was expressly marked *"Time Is of the Essence"* - signaling that immediate acknowledgment was required. Rather than engage through the most expedient means available, Respondents delayed until the final permissible window and transmitted their response by mail. In the intervening hours, Petitioner's *Amended Prayer for Relief* (file-stamped 1:53 A.M., May 27 2025) was accepted and became the controlling pleading under *Tex. R. Civ. P. 65*. Their mailed response, not received until 1:36 P.M. the same day, therefore addressed a superseded record. This lapse exemplifies the procedural risk of treating an emergency filing as an ordinary civil matter; by failing to meet the required tempo, Respondents rendered their own pleading moot.

## **APPENDIX B** - TEXAS RULE OF APPELLATE PROCEDURE 34.5(c)

Official Citation: Tex. R. App. P. 34.5(c)

Title: *Clerk's Record - Supplementation*

> "If the clerk's record is defective or inaccurate, the trial-court clerk must correct it."

### Meaning

Rule 34.5(c) requires the trial-court clerk to maintain a record that accurately reflects the procedural truth of the case. When any portion of that record is incomplete, mis-sequenced, or otherwise inaccurate, the clerk has a non-discretionary duty to correct it or to certify in writing the reason correction cannot be made.

### Application in This Case

The official clerk's record in *Cause No. D-1-GN-25-002397* inverts the true chronological sequence of filings entered on May 27, 2025.

- Petitioner's *Amended Prayer for Relief* was accepted at 1:53 A.M., while
- Respondents' *Response* was accepted later, at 1:36 P.M. the same day.

The record as compiled presents these filings in reverse order, misrepresenting which pleading was operative under *Tex. R. Civ. P. 65.*

Under Rule 34.5(c), the clerk must review the file-stamp metadata and either (1) restore the correct chronological sequence, or (2) certify in writing why the inversion occurred.

### Effect

Failure to correct or certify sustains an inaccurate judicial record and denies Petitioner the due-course-of-law protections guaranteed by *Tex. Const. art. I, § 19* and the *Fourteenth Amendment* to the United States Constitution.

## **APPENDIX C** - TEXAS CONSTITUTION, ARTICLE I, SECTION 19

Official Citation: Tex. Const. art. I, § 19

Title: *Due Course of Law*

> "No citizen of this State shall be deprived of life, liberty, property, privileges or immunities, except by the due course of the law of the land."

### Meaning

Article I, Section 19 guarantees every citizen of Texas the right to fair and orderly procedure - *due course of law*. It prohibits the State or its officers from acting in any way that obscures the truth or prevents the fair administration of justice. The rule applies not only to judicial rulings but also to the maintenance of accurate and transparent court records.

### Application in This Case

The official record in *Cause No. D-1-GN-25-002397* mis-sequences key filings entered on May 27, 2025, placing the Respondents' later-filed Response before Petitioner's earlier-accepted *Amended Prayer for Relief.* This inversion hides the operative pleading and presents a false chronology to any reviewing court.

Such distortion deprives Petitioner of *due course of law* by:

1. Obscuring which pleading controlled at the time of Respondents' filing;
2. Misleading appellate review regarding the record's procedural truth; and
3. Eroding public confidence in the integrity of judicial documentation.

### Effect

When the State - through its district clerk - maintains a record that misstates the order of proceedings, it acts outside the bounds of *due course of law* guaranteed by the Texas Constitution. Correction or certification under *Tex. R. App. P. 34.5(c)* is therefore required to restore procedural accuracy and constitutional compliance.

## **APPENDIX D** - UNITED STATES CONSTITUTION, AMENDMENT XIV, SECTION 1

Official Citation: U.S. Const. amend. XIV, § 1

Title: *Citizenship, Due Process, and Equal Protection*

> "All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

### Meaning

The Fourteenth Amendment prohibits any State or State officer from depriving a citizen of life, liberty, or property without *due process of law*. This protection extends to the accuracy and integrity of court proceedings and records maintained under color of state authority.

### Application in This Case

The Travis County District Clerk acts under color of state law in compiling and maintaining the official record for *Cause No. D-1-GN-25-002397*. By preserving a mis-sequenced or inverted record that conceals the true chronological order of pleadings, the Clerk effectively deprives Petitioner of procedural due process. Such distortion impairs the Petitioner's ability to obtain fair judicial review and equal protection in appellate and federal proceedings.

Effect

Maintaining an inaccurate judicial record constitutes a state action that violates the Fourteenth Amendment’s Due Process Clause and supports relief under *42 U.S.C. § 1983.* Correction or certification under *Tex. R. App. P. 34.5(c)* is necessary to restore constitutional compliance and ensure that the record reflects the factual and procedural truth of the case.

1/2/2026 4:14 PM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Candy Schmidt

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

Cliff Stephens

PETITIONER

v

TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

CASS COUNTY

RESPONDENTS

353rd JUDICIAL DISTRICT

# Motion for Judicial Notice of Undisputed Facts, Declaratory Relief, and Voluntary Dismissal Without Prejudice

**TO THE HONORABLE JUDGE OF SAID COURT**

Petitioner appears pro se. Petitioner submits a motion seeking limited procedural relief. The underlying petition was filed on April 7 2025 under an emergency posture. The docket shows absence of hearings, rulings, responses across nine months. Petitioner seeks narrow action to clarify the record. Petitioner seeks closure through orderly disposition.

The Court is asked to take judicial notice of undisputed facts in the record. The Court is asked to enter a declaration confirming those facts. The Court is asked to permit voluntary dismissal without prejudice.

The purpose is conservation of judicial resources. The purpose is preservation of accuracy within the record. The purpose is continuity of the docket. The facts are verifiable through filings before the Court. The facts are verifiable through public offices charged with record keeping. The facts are free from reasonable dispute.

Recognition of existence resolves the emergency posture in the 353rd District Court. Further adjudication lacks necessity.

Petitioner submits the motion to facilitate closure and provide the 5th Circuit Court Of Appeals the first procedural point it must cross. This Court is requested to respond to allow the Circuit to properly mitigate the underlying condition in Cass County with undue haste.

### Undisputed Fact 1 Courthouse Security Status

The Cass County Courthouse located at 100 East Houston Street in Linden functions as an active judicial facility. Court records remain housed within the building. Public access to the building occurs during ordinary business hours. Judicial operations continue to reference the location as a courthouse.

The record lacks confirmation of an established security presence within the courthouse. The record lacks confirmation of armed personnel assigned to interior security. The record lacks confirmation of screening procedures at points of entry. The record lacks confirmation of a posted security protocol.

The absence of confirmation remains verifiable through the Court file. The absence of confirmation remains verifiable through inquiry of the County Clerk. The absence of confirmation remains verifiable through county records charged with courthouse operations.

This condition remains unchanged since the filing of the emergency petition. This condition remains subject to objective verification. This condition presents a factual status suitable for judicial notice.

### Undisputed Fact 2 Venue Uncertainty

The record lacks an executed order changing the Cass County seat location during 2009. The record lacks a judicial declaration establishing relocation of the county seat from the Courthouse. The absence remains verifiable through Commissioners Court records.

Cass County Commissioners Court conducted meetings at the courthouse during later periods. Cass County Commissioners Court conducted meetings away from the courthouse during later periods. These actions produced uncertainty regarding venue designation. The venue status remains unresolved. Petitioner requests acknowledgment that ambiguity is present.

### Undisputed Fact 3 Engineer Report Existence

An engineer report addressing structural conditions exists. The report was prepared by a licensed professional engineer. The report was submitted into the record as an exhibit. The report remains preserved within the Court file.

The Court is asked to acknowledge existence only. Evaluation of contents conclusions recommendations is outside the request. Existence is verifiable through the Court record. Existence qualifies as a fact appropriate for judicial notice.

## Declaratory Relief

Petitioner seeks declaratory relief under the Texas Declaratory Judgments Act. The request concerns confirmation of factual conditions reflected within the record. The relief sought addresses existence status. The relief sought addresses procedural clarity.

The Court is requested to declare the existence of an unresolved courthouse security condition. The Court is requested to declare the existence of venue uncertainty within Cass County. The Court is requested to declare the existence of an engineer report preserved within the Court file.

The declarations concern existence alone. The declarations require no weighing of evidence. The declarations require no assignment of responsibility. The declarations clarify posture for this cause.

Entry of declaratory statements resolves the emergency posture before this Court. Entry of declaratory statements provides clarity for subsequent review. Entry of declaratory statements preserves continuity within the judicial record.

Declaratory relief serves judicial economy. Declaratory relief serves record accuracy. Declaratory relief permits orderly disengagement from further adjudication.

## Voluntary Dismissal Without Prejudice

Petitioner seeks voluntary dismissal under Texas Rule of Civil Procedure 162. The request follows entry of declaratory statements confirming factual conditions within the record. The request reflects completion of the limited procedural purpose of this cause.

Dismissal promotes judicial economy. Dismissal conserves court resources. Dismissal preserves clarity within the docket. The requested dismissal allows the record to stand with confirmed facts. The requested dismissal allows subsequent review to proceed from a defined procedural point.

Petitioner requests entry of dismissal following declaration to conclude this matter in an efficient manner.

**Prayer for Relief**

Petitioner respectfully requests the Court take judicial notice of undisputed facts reflected in the record.

Petitioner requests entry of declaratory statements confirming those facts.

Petitioner requests voluntary dismissal without prejudice following declaration.

Petitioner requests such other relief as the Court deems just proper.

Respectfully Submitted

Cliff Stephens

Petitioner Pro se

January 2nd , 2026

Gratia abiit

1/14/2026 3:08 PM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Candy Schmidt

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

Cliff Stephens

PETITIONER

V

TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

and CASS COUNTY

RESPONDENTS

353rd JUDICIAL DISTRICT

# Motion for Acknowledgment of Receipt

**TO THE HONORABLE JUDGE OF SAID COURT:**

Petitioner appears pro se and submits a motion for acknowledgment of receipt. The motion seeks ministerial confirmation only. The purpose of the motion is to establish possession of the emergency filing by the 353rd Judicial District Court.

## I. PROCEDURAL HISTORY AND THRESHOLD REDUCTION

Since May 2025 Petitioner has requested verification of facts and awareness regarding the emergency filing pending before the Court. Despite the emergency posture of the matter and the limited nature of the requests, no acknowledgment or communication has issued from the Court. The emergency filing was submitted and accepted on April 7 2025 and the Court has remained silent since that date.

In January 2026 Petitioner reduced the procedural threshold further to acknowledgment of undisputed facts only. No order has issued. No request for clarification has issued. No relief has been requested. The emergency condition remains unresolved.

This motion marks the lowest procedural threshold available within emergency process. Prolonged silence in the presence of an accepted emergency filing is a measurable condition. The passage of time without engagement constitutes a variable relevant to record handling and administrative awareness. The emergency filing was accepted by the Clerk. This motion seeks confirmation that the Court is in receipt of the emergency filing and capable of processing emergency records within the ordinary functions of the Court.

## II. THE SINGLE QUESTION PRESENTED

Did the Clerk of the Court accept and docket the Emergency filing in this cause such that the Emergency filing is presently contained within the official Court record of the 353rd Judicial District Court.

## III. PURPOSE AND EFFECT OF ACKNOWLEDGMENT

Acknowledgment of receipt confirms the presence of the emergency filing within the Court record. Acknowledgment does not require adjudication. Acknowledgment does not require evaluation of facts. Acknowledgment does not require exercise of discretion. Confirmation of receipt preserves record integrity and allows the parties to proceed appropriately. Upon acknowledgment, no further action by the Court is required in connection with this motion.

## IV. CONCLUSION AND NOTICE TO THE CLERKS

*TDEM CHIEF CARROLL: Nathan.Carroll@TDEM.texas.gov*

Any clerk who has handled this filing and wishes to remove themselves from further dispute may elect to document awareness and uncertainty through neutral external routing within the emergency management framework. The sole purpose of such documentation is to establish contemporaneous awareness of the emergency record by the clerk and to preserve an administrative timestamp reflecting that awareness. Clerks are not decision-makers and do not control judicial engagement. Preservation of awareness documentation serves to distinguish clerical handling from judicial action or inaction in any later review, including circumstances in which any officer of the court asserts that the emergency filing was not acted upon due to clerical error, omission, or failure of notice.

For clarity only, and without instruction, awareness documentation may include correspondence bearing a routing header substantially similar to one of the following examples, which are illustrative of purpose only:

*CHIEF CARROLL - IN THE MATTER REGARDING PETITIONER STEPHENS - I AM AWARE OF AN ANOMALY IN THE EMERGENCY RECORD*

EXAMPLE ROUTING HEADER (Option B):

*CHIEF CARROLL - IN THE MATTER REGARDING PETITIONER STEPHENS - RECORD AWARENESS NOTICE (EMERGENCY)*

Any response from the receiving authority serves solely as confirmation of receipt. Retention of the correspondence preserves a contemporaneous record establishing clerk awareness as of the date of transmission, which may be produced if questions later arise regarding record handling during the pendency of this emergency filing.

Respectfully,
Cliff Stephens
Petitioner Pro se
Linden Texas, 75563

1/21/2026 8:26 PM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Norma Ybarra

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

353rd JUDICIAL DISTRICT

Cliff Stephens

PETITIONER

v.

TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

and CASS COUNTY

RESPONDENTS

EMERGENCY STAGE: 4/10

# Notice of Emergency Record Preservation Under Imminent Weather Conditions

## TO THE HONORABLE JUDGE OF SAID COURT

## I. INTRODUCTION

This filing concerns an extraordinary weather event presenting an imminent risk to life, property, and public safety.

Beginning January 21, 2026 and continuing through January 25, 2026, a severe ice storm is forecast to affect the area encompassing 122 West Houston Street. Forecasted accumulation of ice is estimated between two and six inches. Ice accumulation of this magnitude will impose *several thousand* additional pounds of load on the subject structure.

The building at 122 West Houston Street was previously identified by a licensed professional engineer as presenting a risk of structural failure. The additional load imposed by ice accumulation materially increases the probability of collapse beyond the conditions present when this matter was first brought before the Court in April 2025.

The purpose of this filing is to preserve the emergency record under materially changed conditions. This filing provides notice that the hazard identified by the engineer has escalated due to extraordinary weather conditions and that the risk of structural failure is now substantially increased. This filing is submitted to ensure continuity of the emergency record and to document the heightened risk resulting from these changed circumstances.

## II. DESCRIPTION OF THE HAZARD

The hazard at issue is located at 122 West Houston Street, within the county seat and in close proximity to county governmental operations.

A licensed professional engineer inspected the structure and issued a written report identifying conditions indicating a risk of structural failure. The engineer documented displacement and instability affecting a load-bearing wall and concluded that the structure presents a collapse risk under existing conditions. The report recommends mitigation measures consistent with standard engineering safety practices.

The structural risk described is physical and ongoing. The identified wall supports load from the structure above and is subject to additional stress from environmental conditions. The risk is not speculative and is based on observed conditions documented by the engineer.

No competing expert report, alternative engineering analysis, or professional rebuttal has been submitted into the record. The engineer’s findings remain unchallenged as to qualifications, methodology, or conclusions.

## III. Origin and Proper Location of the Emergency Record

The emergency record at issue originated within Cass County and concerns conditions affecting property, public safety, and governmental operations located at the county seat. Under established law and practice, an emergency record arising within a county is properly housed and administered at the county seat, where county governance, judicial records, and emergency documentation are maintained.

No formal order, resolution, or documented action reflects any lawful relocation of the county seat or reassignment of emergency intake authority from its established locus. The record contains no designation transferring emergency intake responsibilities to another facility, office, or court. In the absence of such action, the county seat remains the proper location for receipt, maintenance, and administration of the emergency record.

The record further reflects that the emergency has been treated as though emergency intake and routing functions were administratively assumed to exist elsewhere. This assumption has produced procedural effects, including uncertainty regarding responsibility for intake, evaluation, and mitigation. Where emergency functions are treated as displaced without recorded authority, officers and institutions are unable to identify the point of intake or the official vested with responsibility to act.

## IV. Emergency Intake Versus Adjudication

Emergency management and civil adjudication serve distinct governmental functions and operate through different procedural mechanisms. Emergency management is an executive function concerned with identifying hazards, evaluating risk, and initiating mitigation where conditions threaten public safety, public facilities, or governmental operations. Civil adjudication is a judicial function concerned with resolving disputes, determining rights, and issuing binding legal determinations.

Emergency intake is the procedural mechanism by which hazards are presented to the appropriate emergency authority for evaluation and potential mitigation. Its purpose is not to resolve claims or assign liability, but to determine whether conditions exist that require action to prevent harm. Emergency intake may occur independently of, and prior to, any adjudicative proceeding, and does not depend on the existence of a justiciable controversy.

Adjudication, by contrast, presupposes a matter suitable for judicial resolution and applies standards governing standing, jurisdiction, and legal sufficiency. Those standards address whether a court may decide a dispute, not whether a hazardous condition exists or requires mitigation.

When an emergency is routed into civil dismissal posture, the effect is to subject a hazard presentation to adjudicative filters designed for litigation rather than to emergency intake procedures designed for mitigation. In such circumstances, the hazard is screened for legal sufficiency instead of being evaluated for risk, severity, or need for intervention. This routing does not resolve the emergency through adjudication, nor does it engage emergency management authority to mitigate the condition.

## V. Verified Position of Cass County and Effect on Emergency Handling

The record reflects that Defendant, Cass County, Texas, filed a verified plea to the jurisdiction in response to Plaintiff’s emergency filing. The plea was submitted through the District Attorney and verified by the Cass County Judge in his official capacity.

In that verified filing, Defendant requested that the emergency be dismissed with prejudice or, in the alternative, transferred into adjudicative proceedings. The request was made without any accompanying emergency determination, hazard assessment, or mitigation directive addressing the licensed professional engineer’s findings.

The verification of this position by the Cass County Judge is procedurally significant. As the designated emergency management authority for the county, the County Judge holds responsibility for emergency intake and coordination of mitigation where hazards affecting public facilities or governmental operations are identified.

By verifying a request for dismissal or adjudicative transfer without initiating or directing emergency intake, the emergency was displaced from executive emergency management channels. The record reflects no emergency evaluation, mitigation order, or referral to an emergency response authority following the verified filing.

This section preserves the procedural effect of Defendant’s verified position: the emergency was routed into litigation posture without engagement of emergency intake or mitigation authority, resulting in the emergency remaining unresolved through either emergency management or adjudication.

## VI. Dismissal Without Merit-Based Emergency Assessment

The record reflects that adjudicative dismissal doctrine was applied to the emergency filing in place of any evaluation of the hazard identified by a licensed professional engineer. The emergency was addressed through jurisdictional and justiciability standards governing civil litigation rather than through emergency intake procedures designed to assess risk and mitigation needs.

No determination appears in the record evaluating whether the hazard existed, whether the conditions described by the engineer presented a risk to public safety or governmental operations, or whether mitigation measures were required. No findings were entered addressing the substance of the emergency conditions. No emergency intake decision was made.

As a result, the emergency was not processed through executive emergency management authority. Instead, it was displaced into adjudicative handling without hazard assessment and subsequently terminated without mitigation. This routing removed the emergency from the only authority vested with the capacity to evaluate and respond to the identified risk.

## VII. Undisputed Status of the Engineer’s Report

The record reflects that a licensed professional engineer identified the subject structure as presenting a risk of structural failure and issued findings detailing the nature and severity of the hazard. The engineer’s qualifications, methodology, and conclusions are contained within the emergency record.

At no point has any responding authority challenged the engineer’s credentials, disputed the methodology employed, or contested the conclusions reached. The record contains no countervailing expert report, no alternative structural analysis, and no finding rejecting or modifying the engineer’s assessment.

The record further reflects that the sole institutional response to the engineer’s report across all levels of engagement has been silence. No written denial, rebuttal, clarification request, or mitigation determination appears in the record. The engineer’s findings therefore remain uncontroverted and operative for purposes of emergency assessment.

This filing preserves the undisputed status of the engineer’s report as the only professional evaluation of the hazard contained in the emergency record.

## VIII. Reclassification and Procedural Termination of Emergency Status

The record reflects that the matter was initially presented in emergency posture and supported by a licensed professional engineer’s findings identifying a hazard requiring mitigation. At no point does the record reflect a determination that the emergency conditions had resolved or that mitigation was no longer necessary.

Instead, the matter was transitioned from emergency posture into civil processing. This transition occurred without written findings addressing the existence, severity, or mitigation requirements of the identified hazard. No order reflects an emergency assessment, and no determination appears in the record evaluating whether the conditions presented continued to warrant emergency handling.

As a result of this reclassification, the matter was removed from emergency intake pathways and placed exclusively within adjudicative processing. This procedural shift foreclosed emergency mitigation without resolving the underlying hazard and without engaging the executive authority vested with emergency management responsibility.

## X. 353rd Judicial District Court Handling

The emergency filing was received by the 353rd Judicial District Court and entered into the court’s records.

The record reflects no acknowledgment of receipt directed to the Petitioner and no directive issued concerning emergency intake, routing, or mitigation. No order, notice, or written instruction addressing the emergency posture appears in the docket.

Records subsequently produced by the Clerk of the 353rd Judicial District Court were delivered in a non-chronological arrangement, intermixing filings from different periods without sequence. As produced, the record does not reflect a clear procedural timeline showing intake, review, or disposition of the emergency filing.

The record further reflects no action by the 353rd Judicial District Court to route the emergency to an executive emergency management authority or other designated intake official. No referral, transfer, or notification appears directing the emergency to an authority vested with mitigation responsibility.

This section preserves the procedural posture that, following receipt by the 353rd Judicial District Court, the emergency filing remained without acknowledgment, directive, or routing to an emergency intake authority.

## X. Duty Judge Handling (201st District Court)(B)

The 201st District Court, acting as duty court, declined emergency relief upon presentation of the emergency filing.

The docket entry reflects administrative reclassification into civil handling with direction for civil central processing and notice to parties.

The record contains no written authority supporting reclassification and no findings addressing emergency posture, hazard status, and mitigation need.

The record reflects no engagement with the licensed professional engineer report and no assessment addressing load increase, structural risk, and collapse potential.

## XI. Sixth Court of Appeals Handling (CC)

The emergency record was presented to the Sixth Court of Appeals together with a Prayer for Relief seeking immediate authorization to mitigate a structural hazard identified by a licensed professional engineer.

The Court denied mandamus relief without opinion.

The denial reflects a categorical change in procedural posture from emergency to adjudicative disposition without any determination addressing emergency status, hazard severity, or mitigation necessity.

The record contains no analysis of the engineer’s findings, qualifications, methodology, or conclusions. No consideration of the substance of the engineering report appears in the Court’s action.

The Court did not route the emergency record to any emergency management authority. No directive issued identifying an executive office for emergency intake or mitigation.

The record reflects no engagement with the engineer’s report by the Sixth Court of Appeals.

## XII. Cass County Judge’s Role as Emergency Management Authority (A)

The record reflects that the Cass County Judge, acting in his capacity as the county’s designated emergency management authority, verified a plea to the jurisdiction seeking dismissal of the emergency filing with prejudice (A) or, alternatively, transfer of the matter into adjudicative proceedings.

This verified position constitutes a procedural posture directed toward dismissal or adjudication rather than emergency intake. No emergency assessment, intake determination, or mitigation directive was issued by the emergency management authority in response to the engineer-identified hazard.

The record further reflects that the emergency was not routed to any emergency management intake process or executive mitigation channel. Instead, the matter was displaced into adjudicative handling without an intervening emergency evaluation by the authority vested with responsibility for emergency response.

No engagement with the licensed professional engineer’s report is reflected in the record. The engineer’s qualifications, findings, and conclusions remain undisputed, unaddressed, and without countervailing assessment by the emergency management authority.

This filing preserves the fact that the emergency management authority adopted a dismissal-oriented posture, did not perform emergency intake, did not engage the engineer’s findings, and did not route the emergency to any emergency management process capable of mitigation.

## XIII. Municipal Handling City of Linden

The City of Linden received and acknowledged the report of a licensed professional engineer identifying a structural hazard associated with the subject property.

The City of Linden has stated on the record an absence of a functioning building permit system applicable to the mitigation of the identified hazard.

Following acknowledgment of the engineer’s report, the City of Linden engaged legal counsel and proceeded through legal response channels rather than initiating mitigation activity.

In August 2025, city directed work occurred in proximity to the hazardous structure. Such activity materially altered site conditions and affected existing support measures associated with hazard stabilization.

Subsequent to August 2025, no emergency action was initiated by the City of Linden and no substantive communication regarding mitigation was provided.

The emergency was not routed by the City of Linden to any emergency management authority for intake or evaluation.

No mitigation engagement occurred with the licensed professional engineer and no competing technical assessment was produced.

## XIV. Systemic Effect of Procedural Routing

The procedural handling of this matter resulted in the emergency being reclassified outside any identifiable oversight mechanism. At no stage was the emergency evaluated through a designated emergency intake process vested with authority to assess or mitigate the hazard identified by the licensed professional engineer.

The record reflects no courthouse-anchored intake for civil emergencies affecting public facilities. Absent such an intake, the emergency was not routed to an executive authority capable of directing mitigation, nor was it formally retained within an emergency management framework. Instead, the matter was displaced into adjudicative channels that do not perform emergency assessment or mitigation functions.

As a result of this routing, the emergency became subject to procedural dismissal without any determination regarding the existence, severity, or mitigation requirements of the hazard. This sequence permitted termination of the emergency record without engagement by an authority responsible for public safety response.

## XV. Preservation of the Emergency Record

### Purpose of This Filing

The purpose of this filing is to preserve the existence, status, and continuity of an emergency record arising from an identified structural hazard affecting a public facility within the county seat. This filing is submitted to ensure that the emergency record remains complete, traceable, and accessible for review, irrespective of subsequent procedural routing or adjudicative outcomes.

This filing does not seek adjudication of liability, findings of fault, or judicial determination of merits. Its purpose is limited to preservation of record integrity under extraordinary circumstances involving increased risk due to weather conditions.

### Identification of Authorities with Procedural Capacity

The record reflects that the emergency and the associated engineer's findings were presented to multiple authorities possessing procedural capacity to acknowledge, route, assess, or mitigate the hazard, including judicial, executive, and administrative offices at the municipal, county, state, and federal levels.

This filing preserves identification of those authorities as entities with the institutional ability to engage emergency intake, direct mitigation, communicate procedural disposition, or formally decline action within their respective roles.

No determination is asserted regarding the scope, priority, or outcome of any authority's response.

### Preservation of Notice and Non-Action

This filing preserves notice of the emergency, the existence of the engineer's report, and the absence of mitigation or formal disposition as of the date of filing. It further preserves that, despite the passage of time and escalation of risk due to weather conditions, no written determination addressing emergency intake, hazard assessment, or mitigation has been communicated to the Petitioner.

The preservation of this record is intended to maintain continuity and clarity regarding what information was available, when it was presented, and what procedural actions, if any, were taken or not taken.

This section is submitted solely to preserve the emergency record under conditions of increased risk and does not request further relief beyond acknowledgment and record retention.

## XVI. PRAYER

WHEREFORE, Petitioner respectfully requests that the Court:

Accept and enter this filing into the emergency record associated with the conditions described herein;

Acknowledge receipt of this filing for purposes of record continuity and notice preservation; and

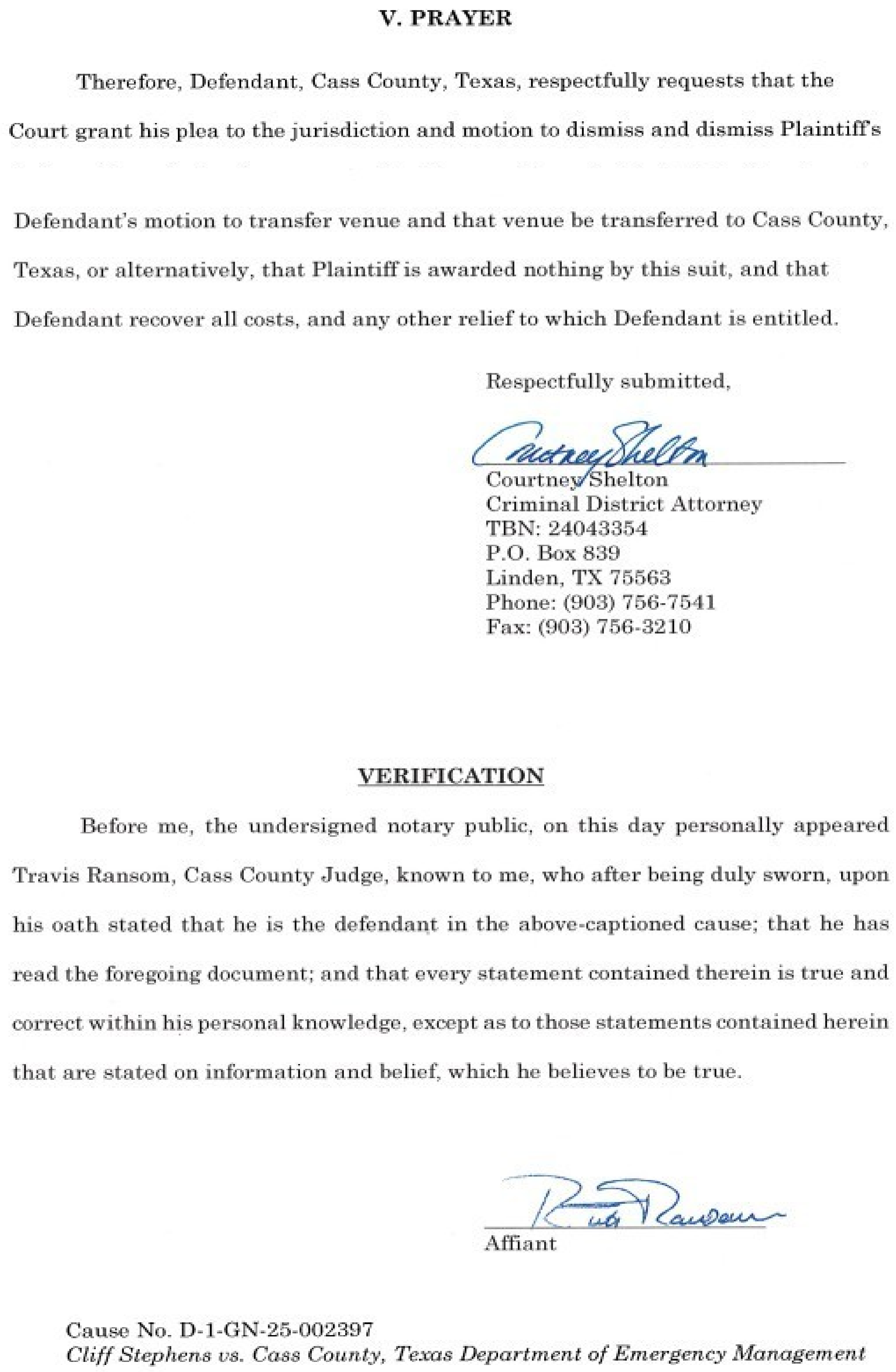
Take no action requiring adjudication beyond recognition, as this filing is submitted solely to preserve the emergency record in light of changed conditions and imminent risk.

Respectfully submitted,

Cliff Stephens

Petitioner, Pro Se

Exhibit (A)



## V. PRAYER

Therefore, Defendant, Cass County, Texas, respectfully requests that the Court grant his plea to the jurisdiction and motion to dismiss and dismiss Plaintiff's

Defendant's motion to transfer venue and that venue be transferred to Cass County, Texas, or alternatively, that Plaintiff is awarded nothing by this suit, and that Defendant recover all costs, and any other relief to which Defendant is entitled.

Respectfully submitted,

Courtney Shelton

Courtney Shelton
Criminal District Attorney
TBN: 24043354
P.O. Box 839
Linden, TX 75563
Phone: (903) 756-7541
Fax: (903) 756-3210

## VERIFICATION

Before me, the undersigned notary public, on this day personally appeared Travis Ransom, Cass County Judge, known to me, who after being duly sworn, upon his oath stated that he is the defendant in the above-captioned cause; that he has read the foregoing document; and that every statement contained therein is true and correct within his personal knowledge, except as to those statements contained herein that are stated on information and belief, which he believes to be true.

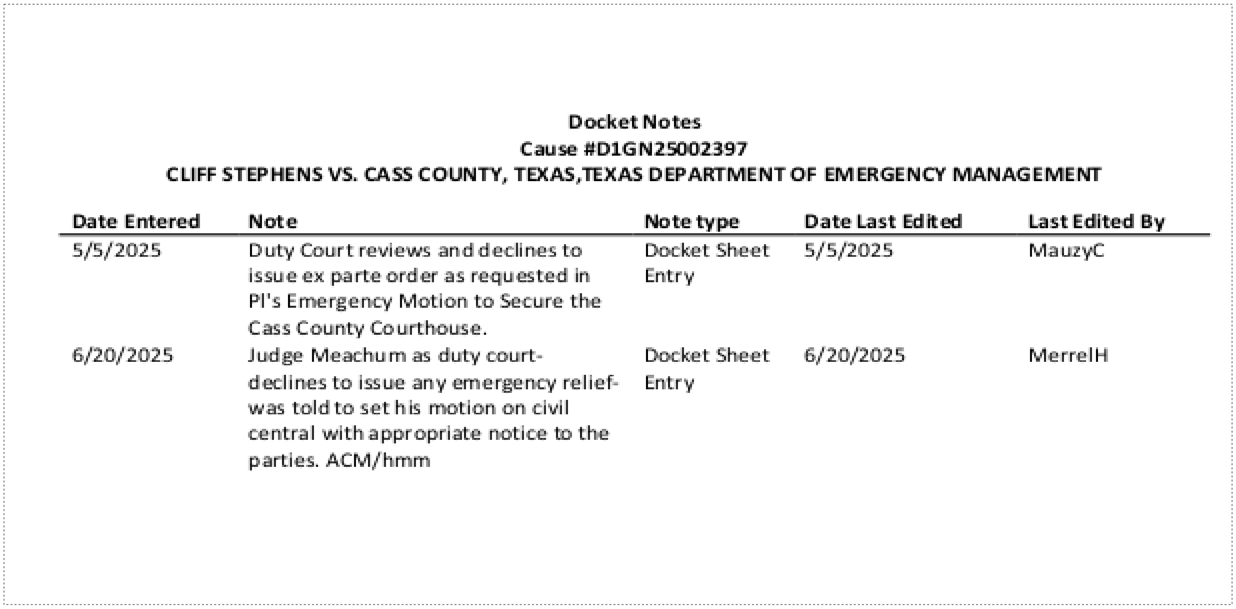
Affiant

Cause No. D-1-GN-25-002397
*Cliff Stephens vs. Cass County, Texas Department of Emergency Management*

Exhibit (B)

The record reflects that this matter has been repeatedly transitioned from emergency posture into civil adjudicative processing and procedural termination without engagement by any operational emergency oversight authority. Where an emergency filing may be reclassified or relabeled without findings addressing the licensed engineer’s report, the effect is to remove the emergency from mitigation pathways while foreclosing emergency intake.

In circumstances where such reclassification occurs within a system not institutionally anchored to a courthouse-based emergency reporting or intake structure, downstream oversight is not engaged. This filing preserves the fact that the emergency record was capable of reclassification without findings and that such reclassification had the procedural effect of removing the matter from emergency handling without placement before any authority responsible for mitigation.



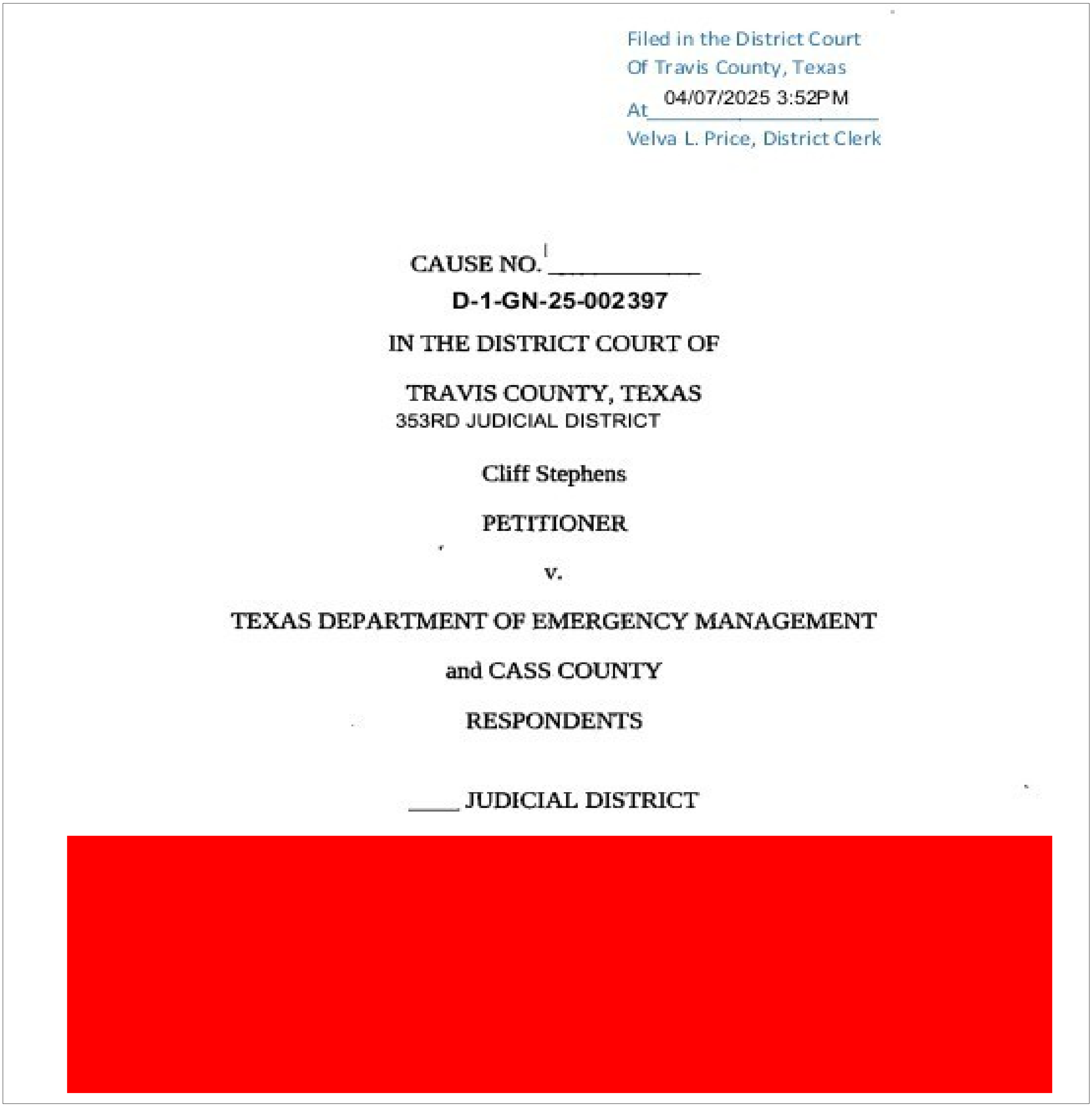
**Docket Notes**
**Cause #D1GN25002397**
**CLIFF STEPHENS VS. CASS COUNTY, TEXAS,TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT**

| Date Entered | Note | Note type | Date Last Edited | Last Edited By |
|---|---|---|---|---|
| 5/5/2025 | Duty Court reviews and declines to issue ex parte order as requested in Pl's Emergency Motion to Secure the Cass County Courthouse. | Docket Sheet Entry | 5/5/2025 | MauzyC |
| 6/20/2025 | Judge Meachum as duty court- declines to issue any emergency relief- was told to set his motion on civil central with appropriate notice to the parties. ACM/hmm | Docket Sheet Entry | 6/20/2025 | MerrelH |

Exhibit (C) :

*Filed in response to the Cass County Judge’s continued non-response to a formally declared civil emergency involving public safety.*

EMERGENCY DECLARED IN THE COUNTY SEAT — NO RESPONSIVE ACTION TAKEN



Filed in the District Court
Of Travis County, Texas
At 04/07/2025 3:52PM
Velva L. Price, District Clerk

**CAUSE NO. ____________**
**D-1-GN-25-002397**

**IN THE DISTRICT COURT OF**

**TRAVIS COUNTY, TEXAS**
353RD JUDICIAL DISTRICT

**Cliff Stephens**

**PETITIONER**

**v.**

**TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT**

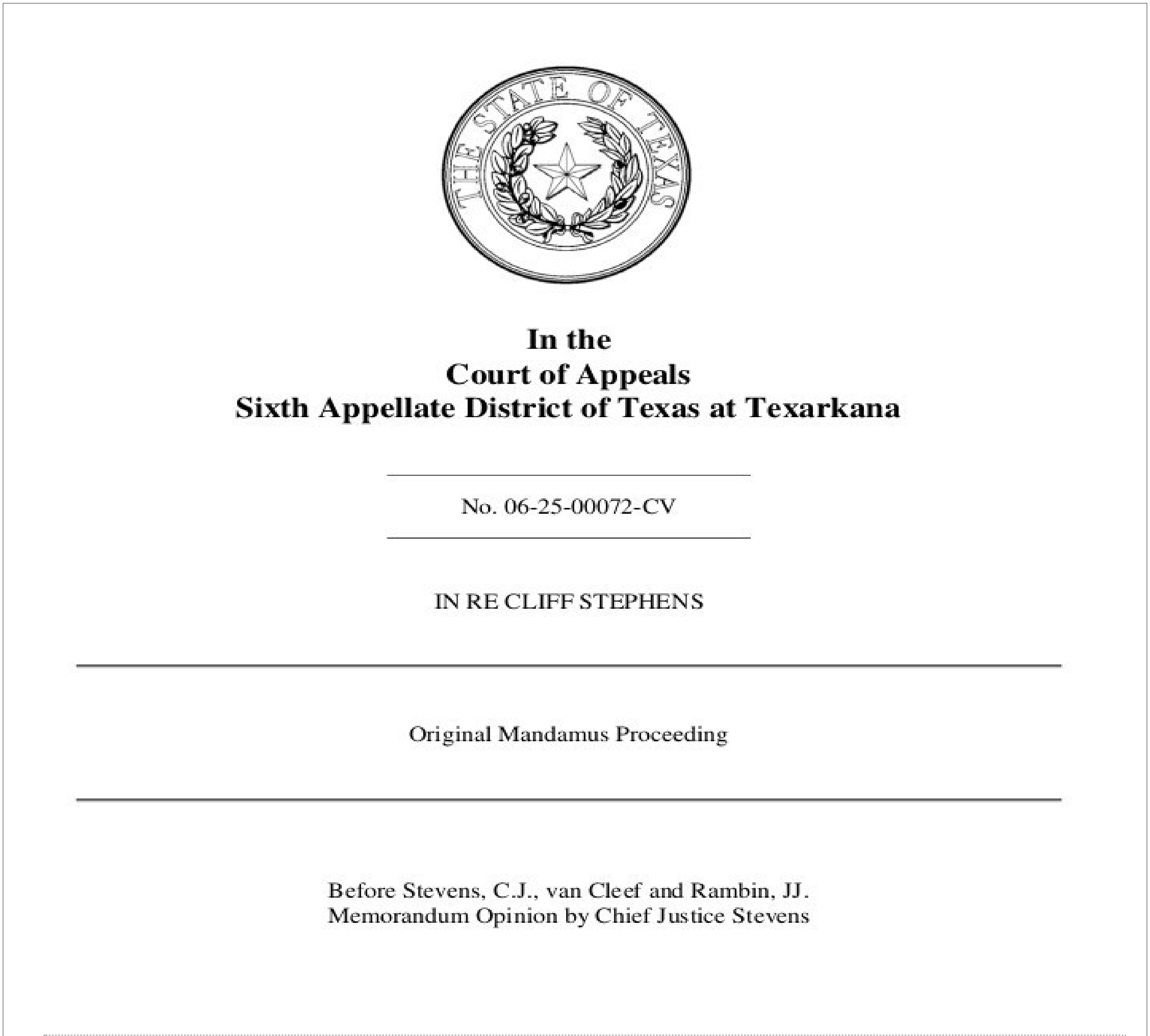
**and CASS COUNTY**

**RESPONDENTS**

**____ JUDICIAL DISTRICT**

[redacted]

Exhibit (CC): Reclassification of Original Emergency Filing



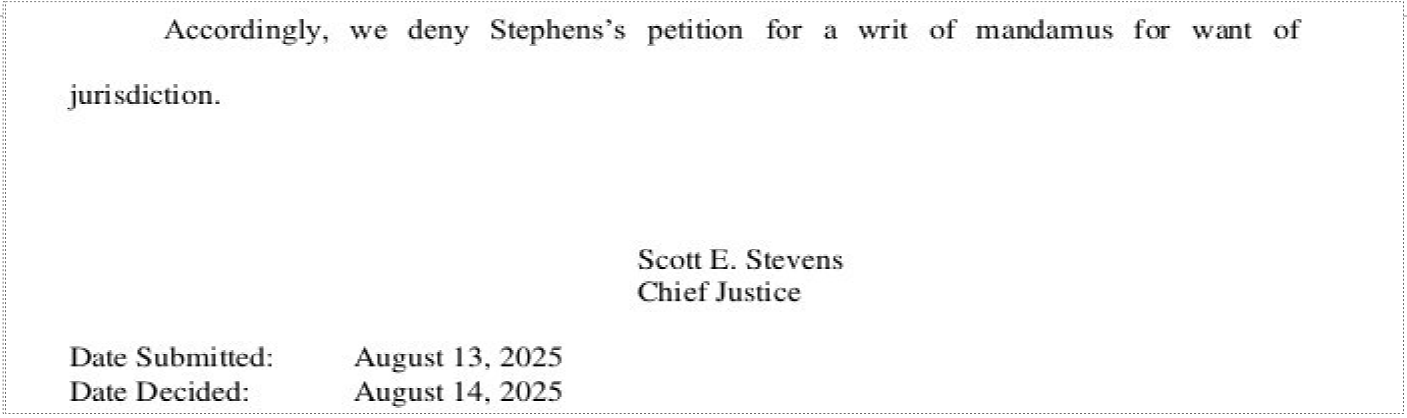
## In the
## Court of Appeals
## Sixth Appellate District of Texas at Texarkana

No. 06-25-00072-CV

IN RE CLIFF STEPHENS

Original Mandamus Proceeding

Before Stevens, C.J., van Cleef and Rambin, JJ.
Memorandum Opinion by Chief Justice Stevens



Accordingly, we deny Stephens's petition for a writ of mandamus for want of jurisdiction.

Scott E. Stevens
Chief Justice

Date Submitted: August 13, 2025
Date Decided: August 14, 2025

# EXHIBIT (D)  EMERGENCY STAGE CLASSIFICATION SCALE

This exhibit reflects a stage-based emergency classification model used in high-reliability operational systems. The scale identifies the progression stage of an emergency, independent of severity, fault, or consequence.

| Stage | Emergency Condition |
|---|---|
| Stage 0 | No emergency present |
| Stage 1 | Condition identified<br>(March 3rd 2025) |
| Stage 2 | Emergency declared<br>(March 6th 2025) |
| Stage 3 | Emergency sustained<br>(March – August 2025) |
| Stage 4 | Emergency advancing (hazard transitioning to active threat due to external conditions) (January 21st 2026) |
| Stage 5 | Protective actions triggered |
| Stage 6 | Normal operations abandoned |
| Stage 7 | Consequences unfolding |
| Stage 8 | Widespread impact |
| Stage 9 | Damage control operations |
| Stage 10 | Post-incident recovery / aftermath |

5/5/2026 6:23 PM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Norma Ybarra

CAUSE NO. D-1-GN-25-002397
IN THE DISTRICT COURT OF
TRAVIS COUNTY, TEXAS
Cliff Stephens
PETITIONER
v
TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT
CASS COUNTY
RESPONDENTS
353rd JUDICIAL DISTRICT

# TEXAS HISTORIC COMMISSION EMAIL EXCHANGE
# SUPPLEMENTAL FILING

TO THE HONORABLE JUDGE OF SAID COURT:

This summary is submitted for judicial awareness in support of the Emergency Petition for Writ of Mandamus and supplemental filings. It documents direct administrative correspondence between Petitioner Cliff Stephens and the Texas Historical Commission ("THC") regarding the Cass County Courthouse preservation easement under the THCPP.

Correspondence Dates: March 14–25, 2026 Parties: Petitioner Cliff Stephens to Susan Tietz, AIA (THC), with copies to Elizabeth Brummett, Maria Angel, Architect, and Sheena Cox, PhD.

The exchange addresses the operational baseline of the recorded preservation easement, which incorporates the Master Plan and Scope of Work (Attachment B) as the protected condition. Key points confirmed include:

The Cass County Courthouse remains subject to an active preservation easement monitored by the THC.

No changes of use have been approved since the THCPP restoration.

Easement monitoring evaluates both the building's condition and how it is being used.

The easement incorporates the Master Plan's assumption that the courthouse will continue as the seat of county government housing core offices (County Judge, Commissioners Court, County Clerk).

Any material change in use requires Commission approval.

Petitioner raised concerns regarding relocation of county functions to the Justice Center, absence of regular courthouse security, unresolved emergency communications and intake routing, and consistency with the preservation baseline.

THC confirmed that while the Commission does not administer daily security operations, courthouse use and occupancy remain subject to ongoing easement monitoring.

This administrative record directly relates to the mandamus petition issues and supplements the evidentiary record of Petitioner's efforts with the THC. The full email exchange is available as an attachment or previously submitted exhibit.

Respectfully submitted,

/s/ Cliff Stephens

Cliff Stephens

Petitioner, Pro Se

Outlook

**Re: Security Concerns at the Cass County Courthouse**

**From** Cliff Stephens <cliff@anexso.life>
**Date** Wed 3/25/2026 10:23 AM
**To** Susan Tietz, AIA <Susan.Tietz@thc.texas.gov>
**Cc** Elizabeth Brummett <Elizabeth.Brummett@thc.texas.gov>; Maria Angel, Architect <Maria.Angel@thc.texas.gov>; Sheena Cox, PhD <Sheena.Cox@thc.texas.gov>

Ms Tietz,

Received and Accepted

Thank you,
Cliff Stephens

---

**From:** Susan Tietz, AIA <Susan.Tietz@thc.texas.gov>
**Sent:** Wednesday, March 25, 2026 10:06 AM
**To:** Cliff Stephens <cliff@anexso.life>
**Cc:** Elizabeth Brummett <Elizabeth.Brummett@thc.texas.gov>; Maria Angel, Architect <Maria.Angel@thc.texas.gov>; Sheena Cox, PhD <Sheena.Cox@thc.texas.gov>
**Subject:** RE: Security Concerns at the Cass County Courthouse

Good morning, Mr. Stephens

Please see my answers to your questions in red below.

Thank you,
Susan

**Susan Tietz, AIA**

RP 26
JOIN US APRIL 8–10
REAL PLACES 2026 CONFERENCE
PRESERVING HISTORIC TEXAS

---

**From:** Cliff Stephens <cliff@anexso.life>
**Sent:** Saturday, March 14, 2026 12:23 PM
**To:** Susan Tietz, AIA <Susan.Tietz@thc.texas.gov>
**Cc:** Elizabeth Brummett <Elizabeth.Brummett@thc.texas.gov>; Maria Angel, Architect <Maria.Angel@thc.texas.gov>; Sheena Cox, PhD <Sheena.Cox@thc.texas.gov>
**Subject:** Re: Security Concerns at the Cass County Courthouse

**CAUTION:** External Email – This email originated from outside the THC email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Ms. Tietz,

Thank you for your previous response and for clarifying THC’s monitoring process. We appreciate the Commission’s ongoing stewardship of historic properties like the Cass County Courthouse. With the upcoming monitor visit to Northeast Texas, we wanted to highlight the documents that define the easement baseline for the Cass County Courthouse.

The preservation framework follows a clear document chain. The Master Plan established the project framework, which defined the Scope of Work. The easement then incorporated this Scope as Attachment B and the protected condition.

Specifically, the easement states in Section 3: “The level of preservation addressed in this Easement will be considered the state of preservation as achieved for the Property as outlined in the Scope of Work statement attached as ‘Attachment B’ …” The Scope of Work, in turn, describes the functional assumption on page 5: “Upon completion of the restoration, the courthouse will continue to be utilized as the seat of county government as it has for the past 140+ years. … At a minimum, the courthouse will house county administrative offices including: County Judge’s Office, County Commissioners Court, County Clerk’s Office.”

We recognize that the Justice Center exists and that some operational adjustments were anticipated during planning.

However, current observations such as the relocation of Commissioners Court meetings to the Justice Center per the March 2025 order suggest a noticeable reduction in daily governmental use of the historic courthouse. The purpose of highlighting these documents is simply to ensure that the monitor visit evaluates current use in relation to the baseline described in the restoration project. Under the easement, changes in use affecting public spaces require prior approval (Section 2.c), and the property must be maintained to preserve historic integrity (Sections 4 and 9). Could the monitor evaluate current occupancy levels, public use of spaces, and any potential preservation impacts from reduced daily activity? Yes, the monitor will assess and note current use of the courthouse during their visit. Has THC approved any changes in use since 2012? No, the THC has not approved any changes of use for the Cass County Courthouse. If any such approvals exist, could you please identify the date and nature of those approvals for the record?

Does THC assess local economic outcomes post project? Rutgers University performed an economic impact study in the early years of the courthouse program and we're able to use that analysis to project economic benefits of the courthouse program, generally. Reports claim positive impacts statewide. How does Cass align? The people of Linden deserve to know how they effectively lost their courthouse. These records show the easement's standard was never fully met and has not been enforced. On behalf of the City of Linden, we invite those from this Commission who visit the Cass County Courthouse to turn around and look at the city. There is no business still open from before the easement began, whereas previously there were established businesses over 40 years old. The THC offers programs like Certified Local Government and Main Street that could help revitalize the historic downtown of Linden.

I have personally noticed that communities that are most positively affected by the courthouse restoration are those in towns where tourists travel through the center of the town, and tend to stop off to purchase lunch, gas, stay in a hotel, or other. Certainly having county government functions that attract local use like the County Clerk, driver license and marriage license offices, and court that attracts users like commissioners' court support historic downtown businesses.

Thank you for your time and for the Commission's stewardship of the property. Clarifying how current use relates to the easement baseline will help ensure that the public record accurately reflects the preservation program's intent.

Best regards,

Cliff Stephens

---

**From:** Cliff Stephens <cliff@anexso.life>
**Sent:** Saturday, March 14, 2026 12:55 AM
**To:** joseph.bell@thc.texas.gov <joseph.bell@thc.texas.gov>; thc@thc.texas.gov <thc@thc.texas.gov>
**Cc:** Elizabeth Brummett <Elizabeth.Brummett@thc.texas.gov>; Maria Angel, Architect <Maria.Angel@thc.texas.gov>; Sheena Cox, PhD <Sheena.Cox@thc.texas.gov>; Susan Tietz, AIA <susan.tietz@thc.texas.gov>
**Subject:** Re: Security Concerns at the Cass County Courthouse

Executive Director Bell,

Program Coordinator Tietz's response clarified the administrative scope of the Texas Historic Courthouse Preservation Program. That clarification is noted and accepted within program administration.

The question concerning the recorded preservation easement is therefore presented here for executive confirmation.

The remaining inquiry concerns the preservation easement recorded in favor of the Texas Historical Commission for the Cass County Historic Courthouse. The easement is a recorded property interest held by the Commission that runs with the land and provides for ongoing Commission oversight.

The courthouse was rededicated under THCPP in 2012 and is now approximately fourteen years into operation. The concerns raised relate to easement-protected aspects of "how the building is being used," language referenced in the program response.

Accordingly, please confirm the Commission's position regarding the preservation easement:

Whether the current use and functionality of the Cass County Courthouse is considered consistent with the terms of the recorded preservation easement held by THC.

Whether the program-level response is considered sufficient to address easement compliance, or whether additional review is anticipated in connection with the upcoming easement monitoring visit.

A response within seven business days would clarify the Commission's position.

Respectfully, Cliff Stephens

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**From:** Susan Tietz, AIA <Susan.Tietz@thc.texas.gov>
**Sent:** Friday, March 13, 2026 6:01 PM
**To:** Cliff Stephens <cliff@anexso.life>
**Cc:** Elizabeth Brummett <Elizabeth.Brummett@thc.texas.gov>; Maria Angel, Architect <Maria.Angel@thc.texas.gov>; Sheena Cox, PhD <Sheena.Cox@thc.texas.gov>
**Subject:** RE: Security Concerns at the Cass County Courthouse

Thank you, Mr. Stephens.

First, based on the Commission's experience administering the Texas Historic Courthouse Preservation Program, are there examples of restored courthouses operating open to the public without an identifiable courthouse security presence? *I do not have exact numbers, but I can say that many, many functioning county courthouses that are open to the public operate without a "security presence" and many without any security at all but as I mentioned before, we do not manage or direct the security of county courthouses as part of our role so it is not something we monitor or track.*

Second, in light of the operational assumptions described in the Cass County courthouse master plan and preservation framework, does the present condition of the courthouse appear consistent with those expectations? *The Cass County Courthouse master plan was produced over 20 years ago. We consult a county's master plan as a guide for their restoration project and do not continue to use it as a reference after the restoration is completed. It is not unusual for programmatic changes to be made during the planning phase of a project.*

Our easement monitor will be visiting northeast Texas in the next few months, and the Cass County Courthouse is on their list of buildings to visit. If they document any violations or concerns at that time, we will reach out to Cass County to discuss them. The easement monitor is primarily evaluating the condition of the building and how the building is being used. Noting security or lack of security is not part of our monitoring.

Thank you for your input,
Susan

**Susan Tietz, AIA**

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**From:** Cliff Stephens <cliff@anexso.life>
**Sent:** Friday, March 13, 2026 4:44 PM
**To:** Susan Tietz, AIA <Susan.Tietz@thc.texas.gov>
**Cc:** Elizabeth Brummett <Elizabeth.Brummett@thc.texas.gov>; Maria Angel, Architect <Maria.Angel@thc.texas.gov>; Sheena Cox, PhD <Sheena.Cox@thc.texas.gov>
**Subject:** Re: Security Concerns at the Cass County Courthouse

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Document Length: ~1,150 words
Estimated Reading Time: ~5 minutes

Dear Ms. Tietz,

We are writing to provide observations regarding the present operational posture of the Cass County Courthouse in Linden, Texas, and to request guidance regarding whether current conditions remain consistent with the operational expectations associated with the Texas Historic Courthouse Preservation Program (THCPP).

The Cass County Courthouse underwent restoration under THCPP Round V and was formally rededicated on February 18, 2012. The project returned the building to its 1934 appearance while incorporating modern upgrades to mechanical, electrical, and plumbing systems, ADA accessibility, life-safety and fire protection infrastructure, and courthouse security considerations. The restoration framework and associated planning materials assumed the courthouse would continue to function as a viable governmental center supporting public access, administrative intake, and secure operations.

A structural hazard subsequently developed within the historic district immediately across from the courthouse. On February 27, 2025 an engineering inspection was conducted at 122 West Houston Street. The subsequent sealed report issued March 3, 2025 by System Engineering and Laboratories (SEAL) concluded that the brick wall had sustained significant damage resulting from settlement of the northeast corner of the structure and soil subsidence beneath the foundation, and that failure and collapse of the wall was considered imminent without stabilization measures (Exhibit B).

Following those findings, a Civil Emergency Declaration was filed with the Cass County Clerk on March 6, 2025 requesting authorization to install stabilization anchors and to investigate surrounding infrastructure conditions contributing to the structural hazard (Exhibit A). The declaration was filed after a meeting with the City of Linden on March 5, 2025 during which the engineering findings and potential municipal infrastructure involvement were discussed (Exhibit H).

Neighboring property owners have also documented ongoing structural settlement affecting their buildings and expressed concern regarding the safety of individuals using the adjacent alleyway and nearby commercial structures (Exhibits D and G).

Subsequent municipal activity occurred at the exact location identified in the engineering report. On September 2, 2025 the City of Linden excavated and replaced the municipal water line adjacent to the affected structure, with the Mayor of Linden present on site (Exhibit F and accompanying photograph).

The sequence of events documented in the attached exhibits is summarized below (timeline, page 18 of the packet):

- February 27, 2025 - engineering inspection conducted
- March 3, 2025 - SEAL engineering report issued
- March 5, 2025 - meeting with City of Linden officials
- March 6, 2025 - Civil Emergency Declaration filed with the Cass County Clerk
- Spring - Summer 2025 - administrative complaints submitted through multiple institutional channels
- September 2, 2025 - municipal excavation and replacement of water line adjacent to hazard site

The emergency declaration was placed on the public record of the Cass County Courthouse because normal administrative intake did not produce communication with the responsible county officer. Over the following year the emergency record remained unresolved.

In an effort to clarify the appropriate administrative intake location for civil emergency communications, correspondence was sent on January 30, 2026 to the Cass County Judge requesting identification of the physical intake address for the county’s civil emergency management system. The correspondence was copied to the Texas Division of Emergency Management. As of March 13, 2026 no response had been received clarifying the intake location (Exhibit I).

The circumstances surrounding this unresolved emergency record also appear to illustrate a broader operational condition. When administrative functions associated with county government operate away from the courthouse, the courthouse record may not function as an effective intake point for emergency communication affecting the surrounding historic district. If administrative engagement with the courthouse record does not occur in the manner assumed during the restoration planning process, hazards affecting nearby historic structures may remain unresolved on the courthouse record even after formal notice has been placed there. The situation at 122 West Houston therefore appears to illustrate how deviations from the operational assumptions associated with the courthouse restoration can affect the courthouse’s ability to function as an intake point for issues affecting the historic district.

Because courthouse engagement with the emergency declaration never developed into mitigation activity, documentation later moved through additional institutional channels. The assembled record now includes a filing before the United States Court of Appeals for the Fifth Circuit addressing the functioning of emergency intake pathways within the state judicial structure (Fifth Circuit No. 26-40052, *Notice of State Emergency Intake Failure* with Exhibits A1, A2, B1–B3). The filing explains how emergency awareness develops through functioning administrative intake points within courthouse systems. When awareness does not form at the courthouse level, emergency information may travel upward through the judicial structure before mitigation begins. The *Notice of State Emergency Intake Failure* illustrates how the absence of engagement at the county level can influence the functioning of the broader judicial intake system, including the administrative pathways through which higher courts become aware of emergency conditions.

At this point, the documentation phase is complete. The assembled record consists of the sealed engineering report (Exhibit B), the Civil Emergency Declaration (Exhibit A), property owner statements (Exhibits D, G, and H), the municipal water line replacement documentation and photograph (Exhibit F), the initial meeting summary with the City Manager (Exhibit H), the correspondence requesting clarification of the civil emergency intake address (Exhibit I), and the federal appellate filing acknowledging the intake condition.

The purpose of providing this documentation to the Commission is to ensure awareness of the circumstances surrounding the courthouse and the adjacent historic district.

Because the courthouse participates in the Texas Historic Courthouse Preservation Program, the operational posture of the courthouse becomes relevant when a documented public safety condition within the historic district remains unresolved on the courthouse record. The Commission may therefore wish to determine whether current conditions remain consistent with the operational assumptions associated with the courthouse restoration and preservation framework.

With that context in mind, I would respectfully ask two clarification questions.

First, based on the Commission's experience administering the Texas Historic Courthouse Preservation Program, are there examples of restored courthouses operating open to the public without an identifiable courthouse security presence?

Second, in light of the operational assumptions described in the Cass County courthouse master plan and preservation framework, does the present condition of the courthouse appear consistent with those expectations?

If helpful, we would be glad to provide any additional information regarding the documentation referenced in the attached exhibits.

Thank you for your time and for your continued stewardship of Texas's historic courthouses.

Respectfully,

Cliff Stephens

---

**From:** Cliff Stephens <cliff@anexso.life>
**Sent:** Tuesday, March 10, 2026 12:33 PM
**To:** Susan Tietz, AIA <Susan.Tietz@thc.texas.gov>
**Cc:** Elizabeth Brummett <Elizabeth.Brummett@thc.texas.gov>; Maria Angel, Architect <Maria.Angel@thc.texas.gov>; Sheena Cox, PhD <Sheena.Cox@thc.texas.gov>
**Subject:** Re: Security Concerns at the Cass County Courthouse

Ms. Tietz,

We are writing to provide observations regarding the current operational posture of the Cass County Courthouse in Linden, Texas, and to respectfully request guidance on whether present conditions align with the operational assumptions of the Texas Historic Courthouse Preservation Program, particularly those reflected in the associated master plan.

The Cass County Courthouse, originally constructed in 1861 and widely recognized as the oldest continuously functioning antebellum courthouse in Texas, was restored and rededicated in February 2012 under the Texas Historic Courthouse Preservation Program. The restoration project removed a 1980s addition, restored 1934 era public spaces including decorative finishes and light fixtures, updated mechanical, electrical, and plumbing systems, and improved accessibility. Program guidelines and master plan requirements emphasize preserving both the architectural fabric of the structure and its continued functional role as the central seat of county government. This includes evaluation of life safety and security conditions, accessibility, records management, space adequacy including coordination with other facilities, and the courthouse's ongoing civic role as the administrative center of county government.

Observable conditions at present include the following.

Day to day administrative intake and public interactions frequently occur away from the historic courthouse located at 100 East Houston Street.

Administrative systems and records frequently route through or default to the courthouse address, creating the appearance in official metadata and indexing that centralized operations continue at the courthouse even where day to day functions have shifted elsewhere.

Security measures typically associated with an active judicial facility have not been consistently present.

These conditions present a courthouse that appears operational within records systems while many core governmental activities occur elsewhere.

As part of providing full context for these operational conditions, it may also be helpful to note certain perspectives that have emerged locally regarding the continued distribution of county functions away from the restored historic building. These observations are shared only to illustrate how some community members interpret the resistance encountered in efforts to restore full administrative posture at the courthouse, including the installation of courthouse security measures.

Historically, Cass County has experienced discussion regarding the location of its county seat. The seat was originally established in Jefferson when the county formed in 1846 and moved to Linden in 1852 following contested elections. Since that time, county boundaries have remained largely stable, with no formal seat changes after the creation of Marion County in 1860. In recent years, periodic local conversations have referenced the possibility of relocating the county seat northeast to Atlanta, the county's largest town located approximately fourteen miles from Linden and home to several current county officials including the County Judge Travis Ransom.

Some members of the community who supported the courthouse restoration under the Texas Historic Courthouse Preservation Program have interpreted the gradual relocation of administrative intake functions to the Justice Center at 604 Highway 8 North as a possible step toward reducing the courthouse's operational role. As described locally, such a transition could allow the building to function more as a ceremonial or museum type structure while primary county functions occur elsewhere. Over time, observers note that conditions of this kind could potentially be cited as justification for initiating procedures related to county seat relocation under Texas law. See Texas Local Government Code Sections 72.001 through 72.015 governing relocation of county seats.

From an emergency management standpoint, concern arises only when such dynamics, whether real or perceived, lead to downgraded county wide operations. For example, the absence of courthouse security measures typically required for district and county courts, as addressed in Texas Government Code Section 291.010 concerning courthouse security committees and courthouse security planning, may reinforce the appearance that the courthouse is no longer functioning as the active situs of county government. In practice this can create the impression that the structure is being treated more as a preserved historic artifact rather than as a fully operational civic center.

There is no position here regarding local political preferences or any potential future discussion regarding relocation of the county seat. Counties evolve and facility arrangements may change through established statutory processes.

However, if operational disengagement allows conditions contemplated in the preservation easement or the approved master plan to lapse without review by the Texas Historical Commission, the courthouse's civic role could be altered in ways inconsistent with the program's intent. Where a courthouse ceases to function as the accessible center of county government, practical barriers to public participation in governmental and judicial processes may arise. Such conditions can carry broader implications for public access to governmental institutions and the equal availability of civil processes.

The Texas Historic Courthouse Preservation Program emphasizes the continued functional use of restored courthouses as active centers of county government, not solely their architectural preservation. Continued civic use is central to the preservation framework because the courthouse functions not only as an architectural resource but also as the public point of entry for county government and the civil processes associated with it.

If the observations outlined above indicate a need for clarification or review, such as a master plan alignment review or other program level evaluation, we would appreciate guidance regarding appropriate procedures or next steps. We would be happy to provide supporting public records or additional documentation if helpful.

Thank you for your continued stewardship of Texas historic courthouses and the civic institutions they represent.

[Attached for your review is a summary document ("March 11th Order & September 23rd Order _ ops understanding.pdf") that details a key sequence: The March 11, 2025, Commissioners Court order designating the historic courthouse for regular meetings remains operationally unexecuted—potentially due to the County Judge withholding his signature - while a September 23, 2025, order formally shifts meetings to the Justice Center. Under standard practice, unspecified locations default to the courthouse in public records, maintaining an appearance of centralized operations even as administrative functions continue elsewhere. This raises a pointed question: Is the withholding of execution intentional to preserve flexibility for future ambitions, such as periodic community discussions about relocating the county seat to Atlanta? The Texas Historical Commission is best positioned to inquire whether such dynamics align with the restoration project's assumption of the courthouse as the enduring operational heart of county government. Without clarification, the master plan's vision risks being undermined by this sustained discrepancy between record and reality.]

Respectfully,

Cliff Stephens

Linden Tx

---

**From:** Cliff Stephens <cliff@anexso.life>
**Sent:** Monday, March 9, 2026 11:33 AM
**To:** Susan Tietz, AIA <Susan.Tietz@thc.texas.gov>
**Cc:** Elizabeth Brummett <Elizabeth.Brummett@thc.texas.gov>; Maria Angel, Architect <Maria.Angel@thc.texas.gov>; Sheena Cox, PhD <Sheena.Cox@thc.texas.gov>
**Subject:** Re: Security Concerns at the Cass County Courthouse

Ms. Tietz,

Many county officers appear to remain in the same temporary locations used during the restoration period. The

County Judge and District Clerk continue to operate from the Justice Center complex rather than the courthouse. The Sheriff's administrative presence associated with courthouse security is similarly not based at the courthouse.

While these officers remain located offsite, the administrative functions traditionally associated with the courthouse do not appear to be operating from the building.

Based on publicly available records and requests made over the past year, documentation formally relocating those offices away from the courthouse has not been located. As a result, the administrative posture appears largely unchanged from the temporary configuration used during the project.

The courthouse restoration Master Plan appears to have intentionally reduced the operational footprint of the building from the more crowded configuration that existed following the 1980s expansion. Certain non-core offices were expected to relocate to adjacent facilities, while the core governmental functions of the courthouse itself were intended to remain in the building.

At present, the courthouse itself appears only partially occupied. The County Clerk maintains an office on the first floor, several lower-level rooms are used primarily for records storage, and Commissioners Court meetings occur in the building periodically.

The available records also appear to indicate that courthouse security has not been re-engaged as a regular operational function since completion of the restoration project.

From an operational standpoint, it does not appear that the core governmental functions contemplated by the courthouse restoration Master Plan were fully re-established following completion of the project. The building therefore appears architecturally restored but operationally diminished.

If there is a single record that may help clarify the operational history, it may be the minutes of the *Cass County Courthouse Security Committee* from approximately 2018 to the present. Those records appear to reflect the administrative posture of the courthouse during the years following restoration.

If helpful, we would appreciate clarification regarding which governmental functions the approved Master Plan anticipated would return to the courthouse following restoration.

We would be glad to provide any additional documentation or references that may assist your review.

Thank you again for your time and attention.

Respectfully,
Cliff Stephens

---

**From:** Susan Tietz, AIA <Susan.Tietz@thc.texas.gov>
**Sent:** Monday, March 9, 2026 9:08 AM
**To:** Cliff Stephens <cliff@anexso.life>
**Cc:** Elizabeth Brummett <Elizabeth.Brummett@thc.texas.gov>; Maria Angel, Architect <Maria.Angel@thc.texas.gov>; Sheena Cox, PhD <Sheena.Cox@thc.texas.gov>
**Subject:** RE: Security Concerns at the Cass County Courthouse

Good morning, Mr. Stephens

I would like to understand your concerns more clearly. Are you concerned that despite a vote from the court to occupy certain county government functions in the courthouse, the judge has not signed the order and that the county has not yet located those functions in the courthouse? Is the courthouse currently vacant?

Our expectation is that the county continues to occupy the building with county government functions as part of our agreement and any changes in use require Commission approval due to the easement granted by the County. But I'm not clear how the building is being currently being used at this point or your specific concerns. I heard about the recent vote to relocate judicial functions at the courthouse. I recall that the County Clerk had occupied the first floor, the last time I visited the building and the commissioners were meeting in the District Courtroom.

The THCPP offers funding for security work as proposed by the county and as part of the full restoration but does not require security.

I would really appreciate discussing this over the phone or over Teams if you're willing and available.

Thank you,
Susan

**Susan Tietz, AIA**

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**From:** Cliff Stephens <cliff@anexso.life>
**Sent:** Sunday, March 8, 2026 3:45 PM
**To:** Susan Tietz, AIA <Susan.Tietz@thc.texas.gov>
**Cc:** Elizabeth Brummett <Elizabeth.Brummett@thc.texas.gov>
**Subject:** Re: Security Concerns at the Cass County Courthouse

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Ms. Tietz,

The Texas Historical Commission administers the Historic Courthouse Preservation Program across Texas, restoring historic courthouses so they may continue serving as the working centers of county government. In Linden, that program returned the courthouse at 100 East Houston Street to the center of the square as the Cass County Courthouse. The building stands today within the state's historic courthouse system, open to the public and preserved as part of a program whose Master Plan envisioned the courthouse continuing to function as the operational heart of county government.

Over the past year, questions touching that operational role have appeared in several public records moving through different institutional channels, placing the courthouse's present status within the Commission's quiet sphere of stewardship. This matter has intersected multiple state and federal institutions over the past year, from emergency management communications to appellate and district court records, reflecting questions about the courthouse's operational status that predate this correspondence.

To understand the present operational questions surrounding the courthouse, it is useful to look at a sequence of events in March 2025. On March 10, communications were transmitted through the Texas Division of Emergency Management and acknowledged by their office. The following day, March 11, the Cass County Commissioners Court adopted an order directing future meetings of the court to the Historic Courthouse at 100 East Houston Street.

The record from that meeting reflects the order as adopted. The County Judge's signature appears on other items from the same agenda. The directive returning meetings to the courthouse remains unsigned. The record therefore leaves the adopted directive unresolved in the county's administrative record, even as the order itself reflects one of the most consequential actions taken by the Commissioners Court since completion of the Historic Courthouse Preservation Program.

Public directories, including the Texas Historical Commission's own Atlas, identify the courthouse at 100 East Houston Street as the Cass County Courthouse. The Historic Courthouse Preservation Program and its Master Plan likewise contemplate that site as the operational center of county government. Current county operations, however, appear to remain centered at the Justice Center on Highway 8 North, leaving the public record and present practice pointing to different locations. The Historic Courthouse Preservation Program restored courthouses across Texas with the expectation that these buildings would continue to function as the visible center of county government. The courthouse in Linden was restored under that program and remains maintained within the state's historic courthouse system.

For instance, an emergency declaration delivered through state emergency management channels more than a year ago remains unaddressed in the county record, suggesting the courthouse does not function as an active intake point for urgent matters. Taken together with the unresolved March 11 directive and others, the present record leaves a practical question for the Commission's stewardship as to whether the operational role envisioned in the Master Plan *was ever* reengaged following restoration at all.

A review of the program file and the county's courthouse security committee record may clarify whether the courthouse's operational and security functions were reestablished in accordance with the Master Plan. The sequence above places several dates and public records beside one another for consideration.

*The record is left to speak for itself.*

The Texas Division of Emergency Management operates through lines of communication, housing the channels through which information concerning public safety moves across the State. Officers within those systems are sworn to receive and transmit information as part of that institutional function. Through those lines of communication the awareness of the State is carried forward. In that sense, they become the Eyes of Texas. Through these lines of communication the awareness of the State is carried forward.

In the spirit of *eternal oversight*, the Commission may wish to remind the officers of Cass County that:

The Eyes of Texas are upon you,
All the live-long day. The Eyes of Texas are upon you,
You cannot get away. Do not think you can escape them,
From night ’til early in the morn. The Eyes of Texas are upon you,
’til Gabriel blows his horn.

In Service to Texas,

Cliff Stephens

---

**From:** Cliff Stephens <cliff@anexso.life>
**Sent:** Friday, March 6, 2026 7:33 PM
**To:** Susan Tietz, AIA <Susan.Tietz@thc.texas.gov>
**Cc:** Elizabeth Brummett <Elizabeth.Brummett@thc.texas.gov>
**Subject:** Re: Security Concerns at the Cass County Courthouse

Ms. Tietz,

Thank you for your response.

The security concerns referenced represent one visible symptom of broader operational deviations from the framework established under the Texas Historic Courthouse Preservation Program (THCPP) Master Plan for this property.

The restoration project, funded in part through Texas Historical Commission grants, was predicated on the courthouse serving as the active operational center of county government. This included consistent judicial and executive presence, public access, and support for essential civic functions, elements integral to the approved Master Plan and the associated preservation easement.

Current observations indicate a substantial deviation. The record indicates no meaningful engagement with the operational structure described in the Master Plan following completion of the restoration project. Present conditions more closely resemble an inversion of the operational structure contemplated in the approved plan and acknowledged through the Commission’s program review.

The building operates without regular judicial presence, lacks defined courthouse security, and has several county officers functioning from separate locations away from the historic courthouse. These conditions have created practical barriers to public and emergency access. For example, when emergency personnel responded to a nearby structural hazard, certified by a professional engineering report as presenting imminent collapse risk, personnel sought judicial intake or emergency coordination at the courthouse and located no functioning point of entry or operational presence within the building intended to serve as the county’s governmental hub.

As the administering agency for the THCPP, the Commission maintains oversight responsibility tied to the Master Plan and preservation easement. A program level review of the Cass County Master Plan file would help determine the extent to which the operational framework has been maintained or reengaged following project completion.

Such a review and any subsequent program communication regarding expectations for alignment with the approved plan would support restoration of stable civic, judicial, and emergency functions at the courthouse, consistent with the public purpose and the significant investment in its preservation.

Participation from program architectural staff familiar with the Cass County file would assist clarification of the present operational structure and discussion of observed conditions.

Respectfully,

Cliff Stephens

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**From:** Susan Tietz, AIA <Susan.Tietz@thc.texas.gov>
**Sent:** Friday, March 6, 2026 9:30 AM
**To:** Cliff Stephens <cliff@anexso.life>
**Cc:** Elizabeth Brummett <Elizabeth.Brummett@thc.texas.gov>
**Subject:** Security Concerns at the Cass County Courthouse

Hello Mr. Stephens

We received your email about security concerns at the Cass County Courthouse. Our courthouse grant program not only allows the installation of security systems, but we can provide grant funds toward security systems as part of a full restoration.

Can you please help me understand your specific concerns? You asked for a security assessment of the Cass County Courthouse, which would be undertaken by Cass County. The THC oversees proposed work on historic courthouses, but we do not propose scopes of work, undertake assessments, or hire consultants to design or undertake the work.

I would be happy to speak with you directly about your concerns and find out how we can help. Are you available to meet next week? We could schedule a meeting.

Thank you,
Susan

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**Susan Tietz, AIA**
Program Coordinator, Courthouse Preservation Program
Division of Architecture
P.O. Box 12276, Austin, Texas 78711-2276
Phone: +1 512 463 5860
Fax: + 1 512 463 6095
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5/15/2026 6:58 PM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Norma Ybarra

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

Cliff Stephens

PETITIONER

V

TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

and CASS COUNTY

RESPONDENTS

353rd JUDICIAL DISTRICT

# Notice of Supplemental Administrative Record

# NOTICE OF SUPPLEMENTAL ADMINISTRATIVE RECORD

Petitioner Cliff Stephens respectfully submits this Notice to supplement the evidentiary record in this proceeding.

On May 15, 2026, the Office of the Attorney General responded to Petitioner's Public Information Requests Nos. R032285, R032292, and R032296. The response, internal webPAS constituent tracking record (Contact ID 1689287), and the 15-day brief submitted by Assistant Attorney General June B. Harden establish the following:

The OAG processed the communications under Texas Government Code Chapter 418. Its internal records expressly referenced "viability standards during emergencies" and routed the matter through the Opinion Committee.

Ordinary public information requests seek existing records or discrete factual answers. These inquiries operated differently. Their purpose was to observe whether a coherent operational pathway exists once emergency-conditioned continuity and intake questions arise within an administratively distributed county structure.

The administrative process followed recognizable institutional pathways, yet those pathways dispersed responsibility across multiple operational nodes rather than converging toward a singular coordinating authority: local officials, the Texas Division of Emergency Management, the Texas Historical Commission, and the electorate.

The routing behavior itself became part of the inquiry. Under ordinary conditions, questions involving operational continuity, intake authority, escalation, and emergency coordination remain largely invisible because the system absorbs them automatically. Here, those questions surfaced explicitly. Their emergence appears tied to procedural ambiguity regarding operational continuity, intake authority, and administrative geography once operational functions are distributed across multiple locations.

The inquiry therefore functioned diagnostically. It was not limited to the content of any particular response. It also observed how institutional responsibility organizes itself once continuity assumptions become uncertain. The administrative trail documents the behavior of the system itself.

This supplemental record is submitted solely to preserve the authenticated administrative history and to document the routing behavior of the system under the conditions presented.

Submitted,

Cliff Stephens

Pro Se

EXHIBIT K

Outlook

**Re: Clarification of TDEM’s Role and Jurisdiction**

**From** Cliff Stephens <cliff@anexso.life>
**Date** Thu 4/2/2026 7:00 PM
**To** Nathan Carroll <Nathan.Carroll@tdem.texas.gov>

Received. Acknowledged.

For administrative clarity, please identify the designated Cass County Emergency Management contact. Additionally, indicate whether a current emergency communications intake exists for Cass County emergency management?

Thank you,

Cliff Stephens

---

**From:** Nathan Carroll <Nathan.Carroll@tdem.texas.gov>
**Sent:** Thursday, April 2, 2026 6:23 PM
**To:** Cliff Stephens <cliff@anexso.life>
**Subject:** Clarification of TDEM’s Role and Jurisdiction

Dear Mr. Stephens ,

I am writing to clarify the role of the Texas Division of Emergency Management (TDEM) regarding the matter you referenced.

TDEM has no involvement in your case and has no jurisdiction or authority to take any action related to it. As such, we are unable to provide assistance or intervene in any way.

Additionally, TDEM is not a pathway, intermediary, or clearinghouse for correspondence with any other agency. Any inquiries, documentation, or communications related to your matter must be directed to the appropriate agency directly. Please discontinue copying TDEM on correspondence with other agencies, as we have no role or authority in those communications.

We respectfully ask that any future correspondence regarding this issue be sent only to the agency with proper jurisdiction over your case.

Thank you,

Nathan Carroll
District Chief
Texas Division of Emergency Management
Cell: 903-241-0555
Office: 903-575-5381
TDEM_Seal-448x448

EXHIBIT L

Outlook

---

**Re: Civil Emergency Intake Address - Cass County**

---

**From** Cliff Stephens <cliff@anexso.life>
**Date** Fri 2/6/2026 9:11 AM
**To** travis.ransom@casscountytx.gov <travis.ransom@casscountytx.gov>
**Cc** Nathan Carroll <nathan.carroll@tdem.texas.gov>

Judge Ransom,

The Public Record – Looking for the Public Record – that's the Emergency Intake System.

- Cliff Stephens

---

**From:** Cliff Stephens
**Sent:** Friday, January 30, 2026 1:15 PM
**To:** travis.ransom@casscountytx.gov <travis.ransom@casscountytx.gov>
**Cc:** Nathan Carroll <nathan.carroll@tdem.texas.gov>
**Subject:** Civil Emergency Intake Address - Cass County

Dear Judge Ransom,

What is the physical intake system address for the Civil Emergency Management system in Cass County?

-Cliff Stephens

EXHIBIT M

KEN PAXTON
ATTORNEY GENERAL OF TEXAS

May 15, 2026

Tamara Smith
Open Records Division
Office of the Attorney General
P.O. Box 12548
Austin, TX 78711-2548

Re: Public Information Request Nos. R032285, R032292 & R032296

Dear Ms. Smith:

On May 4, 2026, the Office of the Attorney General ("OAG") received three public information requests under the Public Information Act ("PIA"), Chapter 552, Government Code, from Mr. Cliff Stephens. The requests are attached as Exhibit A. In accordance with section 552.3031 of the Government Code, this brief was timely delivered on May 15, 2026.

The OAG does not maintain some of the requested information. Furthermore, the PIA does not require a governmental body to create information for a request or to answer questions. *See* Open Records Decision Nos. 563 at 8 (1990), 555 at 1-2 (1990). The OAG will release most of the responsive information it maintains. The agency asserts, however, that the remaining information is excepted from required public disclosure under the PIA. Pursuant to sections 552.301(b) and 552.301(e) of the Government Code, this brief is submitted to seek a decision as to whether section 552.107 of the Government Code applies to the remaining information. We have copied the requestor as a recipient of this brief pursuant to sections 552.301(d) and 552.301(e-1) of the Government Code. A representative sample of the information at issue is attached as Exhibit B.

## I. Information Excepted From Required Public Disclosure Under Section 552.107: Privileged Attorney-Client Communications

Section 552.107(1) of the Government Code excepts from required public disclosure information "that the attorney general . . . is prohibited from disclosing because of a duty to the client under the Texas Rules of Evidence or the Texas Disciplinary Rules of Professional Conduct." Gov't Code § 552.107. Section 552.107 protects information that falls within the attorney-client privilege. When asserting the attorney-client privilege, a governmental body has the burden of providing the necessary facts to demonstrate the elements of the privilege in order to withhold the information at issue. Open Records Decision No. 676 at 6-7 (2002). First, a governmental body must demonstrate that the information constitutes or documents a communication. *Id.* at 7. Second, the communication must have been made for the purpose of facilitating the rendition of professional legal services to the client governmental body. Tex. R. Evid. 503(b)(1). Third, the privilege applies only to communications between or among clients, client representatives, lawyers, and lawyer representatives. *Id.* 503(b)(1)(A), (B), (C), (D), (E). Lastly, the attorney-client privilege applies only to a confidential communication, *id.* 503(b)(1), meaning it was not intended to be disclosed to third persons other than those to whom disclosure is made in furtherance of the rendition of professional legal services to the client or those reasonably necessary for the transmission of the communication. *Id.* 503(a)(5).

Section 552.107(1) applies to communications between a governmental body and its attorney made in confidence to further the attorney's rendering of professional legal services to the governmental body. Attorney General opinions applying section 552.107(1) have permitted governmental bodies to withhold information their attorneys have received or generated in the capacity of a legal advisor. *See* Open Records Decision No. 462 at 10-11 (1987) (applying section 3(a)(7), predecessor to Section 552.107(1)).

Exhibit B is a communication between the OAG's Opinion Committee and Constituent Affairs Division. The communication was sent at the direction of an attorney who oversees the Opinion Committee's intake process and reflects the attorney's determination regarding how the requestor's misdirected communications should be handled. Furthermore, the communication was not intended to be disclosed and has not been disclosed to non-privileged parties. *See* Tex. R. Evid. 503(a)(5). Therefore, the record is excepted from required public disclosure under section 552.107 because it is a confidential communication between privileged parties that was made for the purpose of providing professional legal services to the OAG. Accordingly, the OAG contends Exhibit B may be withheld under section 552.107(1) of the Government Code.

## II. Conclusion

The OAG respectfully requests a decision from the Open Records Division regarding the applicability of the argued exception as provided by the PIA.

Please do not hesitate to contact me at publicrecords@oag.texas.gov if you have questions or require additional information.

Sincerely,

June B. Harden

June B. Harden
Assistant Attorney General
Assistant Public Information Coordinator
Office of the Attorney General

cc: Mr. Cliff Stephens
981 County Rd. 1456
Linden, TX 75563
(w/o enclosures)

5/18/2026 12:00 AM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Norma Ybarra

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

Cliff Stephens

PETITIONER

v.

TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

and CASS COUNTY

RESPONDENTS

353rd JUDICIAL DISTRICT

# SUPPLEMENTAL MEMORANDUM IN SUPPORT OF EMERGENCY PETITION FOR WRIT OF MANDAMUS AND IN RESPONSE TO RESPONDENTS  PLEA TO THE JURISDICTION

**TO THE HONORABLE JUDGE OF SAID COURT:**

Petitioner files this Supplemental Memorandum in support of the Emergency Petition for Writ of Mandamus and in response to Respondents' Plea to the Jurisdiction.

## I. INTRODUCTION

This matter concerns emergency-management intake and continuity under Texas Government Code Chapter 418.The attached exhibits establish a chronological administrative record concerning one operational question: "What is the physical intake system address for the Civil Emergency Management system in Cass County?" Exhibit L.

The resulting governmental responses produced fragmented routing statements, jurisdictional disclaimers, judicial redirection, and privilege assertions. No agency identified a singular operational intake node functioning independently from the County Judge's historically presumed courthouse centered continuity structure reflected in the Texas Historical Commission Master Plan.

## II. FACTUAL RECORD

On March 6, 2025, Petitioner filed a Civil Emergency Declaration with Cass County Clerk Amy L. Varnell at the county seat courthouse in Linden, Texas. Exhibit B.

The declaration concerned a documented structural hazard adjacent to active public infrastructure.

Petitioner later submitted a direct inquiry seeking identification of the operational intake structure for emergency-management communications in Cass County. Exhibit L.

The resulting record reflects the following:

The Office of the Attorney General asserted attorney-client privilege concerning internal discussions regarding handling of the communications. Exhibit M.

Respondents later filed a Plea to the Jurisdiction and Motion to Dismiss in this proceeding. Exhibit Q.

The Sixth Court of Appeals denied Petitioner’s petition for writ of mandamus for want of jurisdiction. Exhibit S.

No exhibit identifies a designated fallback intake structure, operational continuity mechanism, or physical intake address functioning independently from the County Judge’s on-site presence at the historic courthouse.

Exhibit R further reflects excavation and utility replacement activity adjacent to the hazard location with municipal personnel and executive presence on site.

## III. ARGUMENT

Respondents’ Plea to the Jurisdiction presumes the existence of a functioning and identifiable local emergency management intake structure in Cass County under Texas Government Code Chapter 418. The administrative record presently before the Court establishes unresolved intake ambiguity concerning that structure.

When Petitioner sought identification of the mechanism through which a declared civil emergency is formally filed, acknowledged, and routed in Cass County, the resulting responses revealed no identified operational intake structure.

The Office of the Governor redirected the matter back to local government and the County Judge. Exhibit O.

The Texas Division of Emergency Management stated TDEM “is not a pathway, intermediary, or clearinghouse” for emergency communications. Exhibit K.

The Office of the Attorney General asserted attorney client privilege concerning internal discussions regarding handling of the communications. Exhibit M.

The Court Coordinator for the 5th District Court stated Cass County has no Local Rules and directed Petitioner toward standard judicial E filing procedures. Exhibit N. Petitioner’s inquiry sought identification of the mechanism through which an emergency matter is formally filed, acknowledged, and routed in Cass County. The response identified no governing local rules, designated emergency intake protocol, continuity mechanism, or operational routing structure governing such communications within the county operational structure.

Petitioner followed the routing direction provided through the courthouse process and filed through the judicial E filing system identified by the Court Coordinator. Respondents subsequently filed a Plea to the Jurisdiction and Motion to Dismiss in this proceeding. Exhibit Q. The Sixth Court of Appeals thereafter denied Petitioner’s petition for writ of mandamus for want of jurisdiction. Exhibit S.

Petitioner repeatedly sought identification of the physical intake address or designated continuity mechanism governing civil emergency communications in Cass County. Those inquiries produced distributed responses across local judicial offices, executive offices, state emergency management personnel, and the Office of the Attorney General.

No response identified a singular operational intake node functioning independently from the courthouse centered continuity structure reflected in the Texas Historical Commission Master Plan.

The record therefore establishes a continuity interruption concerning operational intake identification under Chapter 418.

## IV. PRAYER

Petitioner respectfully requests that the Court:

Deny Respondents’ Plea to the Jurisdiction;

Grant the Emergency Petition for Writ of Mandamus;

Order identification of the physical intake address, designated continuity mechanism, or operational intake structure governing civil emergency communications in Cass County; and

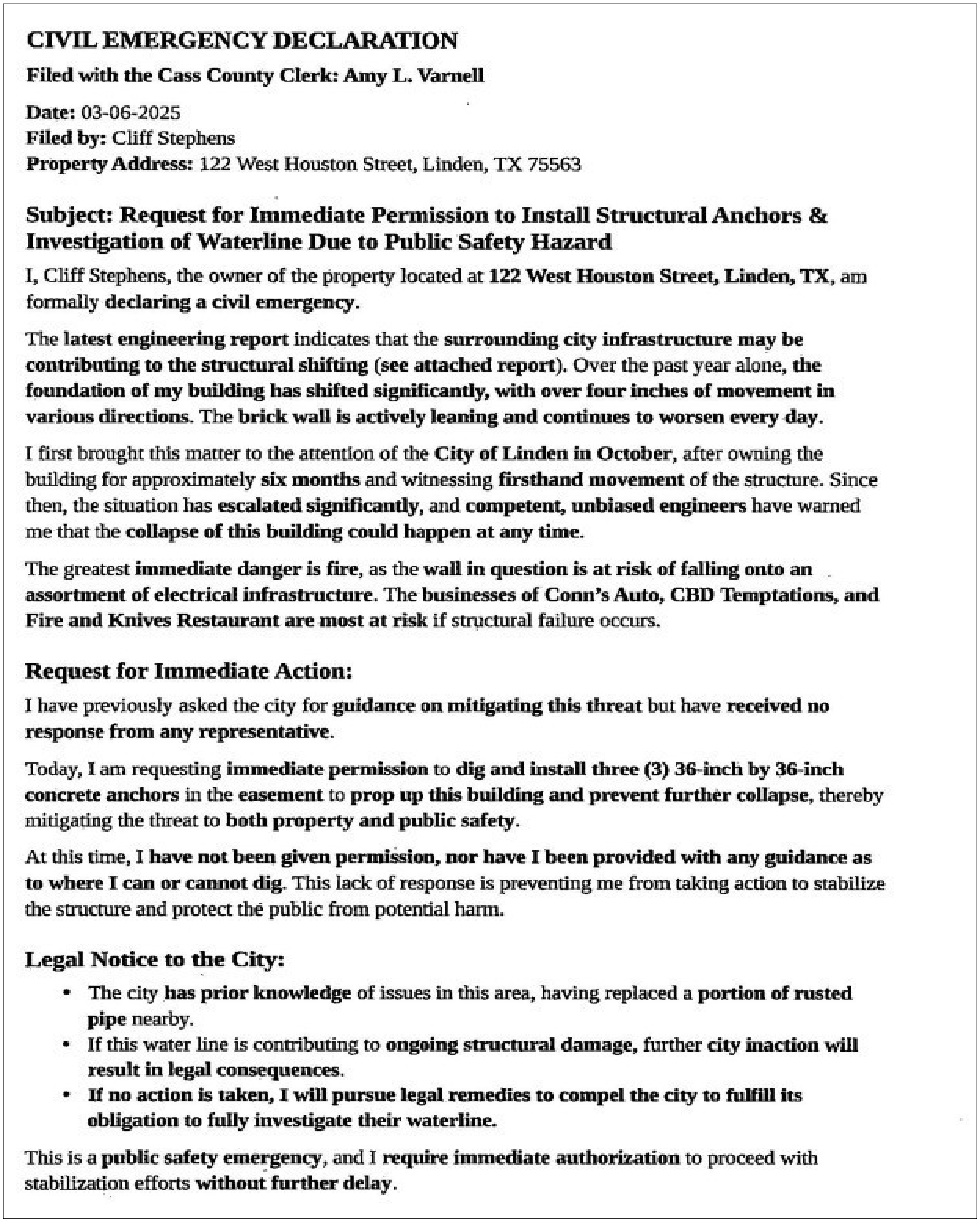
Grant such further relief to which Petitioner may be entitled.

Respectfully submitted,

Cliff Stephens

Petitioner Pro Se

EXHIBIT B: Filed in Response to the Judges absents in the courthouse at the time of the emergency – March 6th 2025.



## CIVIL EMERGENCY DECLARATION

**Filed with the Cass County Clerk: Amy L. Varnell**

**Date:** 03-06-2025
**Filed by:** Cliff Stephens
**Property Address:** 122 West Houston Street, Linden, TX 75563

### Subject: Request for Immediate Permission to Install Structural Anchors & Investigation of Waterline Due to Public Safety Hazard

I, Cliff Stephens, the owner of the property located at **122 West Houston Street, Linden, TX**, am formally **declaring a civil emergency.**

The **latest engineering report** indicates that the **surrounding city infrastructure may be contributing to the structural shifting (see attached report).** Over the past year alone, **the foundation of my building has shifted significantly, with over four inches of movement in various directions.** The **brick wall is actively leaning and continues to worsen every day.**

I first brought this matter to the attention of the **City of Linden in October**, after owning the building for approximately **six months** and witnessing **firsthand movement** of the structure. Since then, the situation has **escalated significantly,** and **competent, unbiased engineers** have warned me that the **collapse of this building could happen at any time.**

The greatest **immediate danger is fire**, as the **wall in question is at risk of falling onto an assortment of electrical infrastructure.** The **businesses of Conn's Auto, CBD Temptations, and Fire and Knives Restaurant are most at risk** if structural failure occurs.

### Request for Immediate Action:

I have previously asked the city for **guidance on mitigating this threat** but have **received no response from any representative.**

Today, I am requesting **immediate permission** to **dig and install three (3) 36-inch by 36-inch concrete anchors** in the **easement** to **prop up this building and prevent further collapse**, thereby mitigating the threat to **both property and public safety.**

At this time, **I have not been given permission, nor have I been provided with any guidance as to where I can or cannot dig.** This lack of response is preventing me from taking action to stabilize the structure and protect the public from potential harm.

### Legal Notice to the City:

- The city **has prior knowledge** of issues in this area, having replaced a **portion of rusted pipe** nearby.
- If this water line is contributing to **ongoing structural damage,** further **city inaction will result in legal consequences.**
- **If no action is taken, I will pursue legal remedies to compel the city to fulfill its obligation to fully investigate their waterline.**

This is a **public safety emergency**, and I **require immediate authorization** to proceed with stabilization efforts **without further delay.**

## EXHIBIT A

### Initial Emergency Declaration and Discussion with City Manager (March 5–6, 2025)

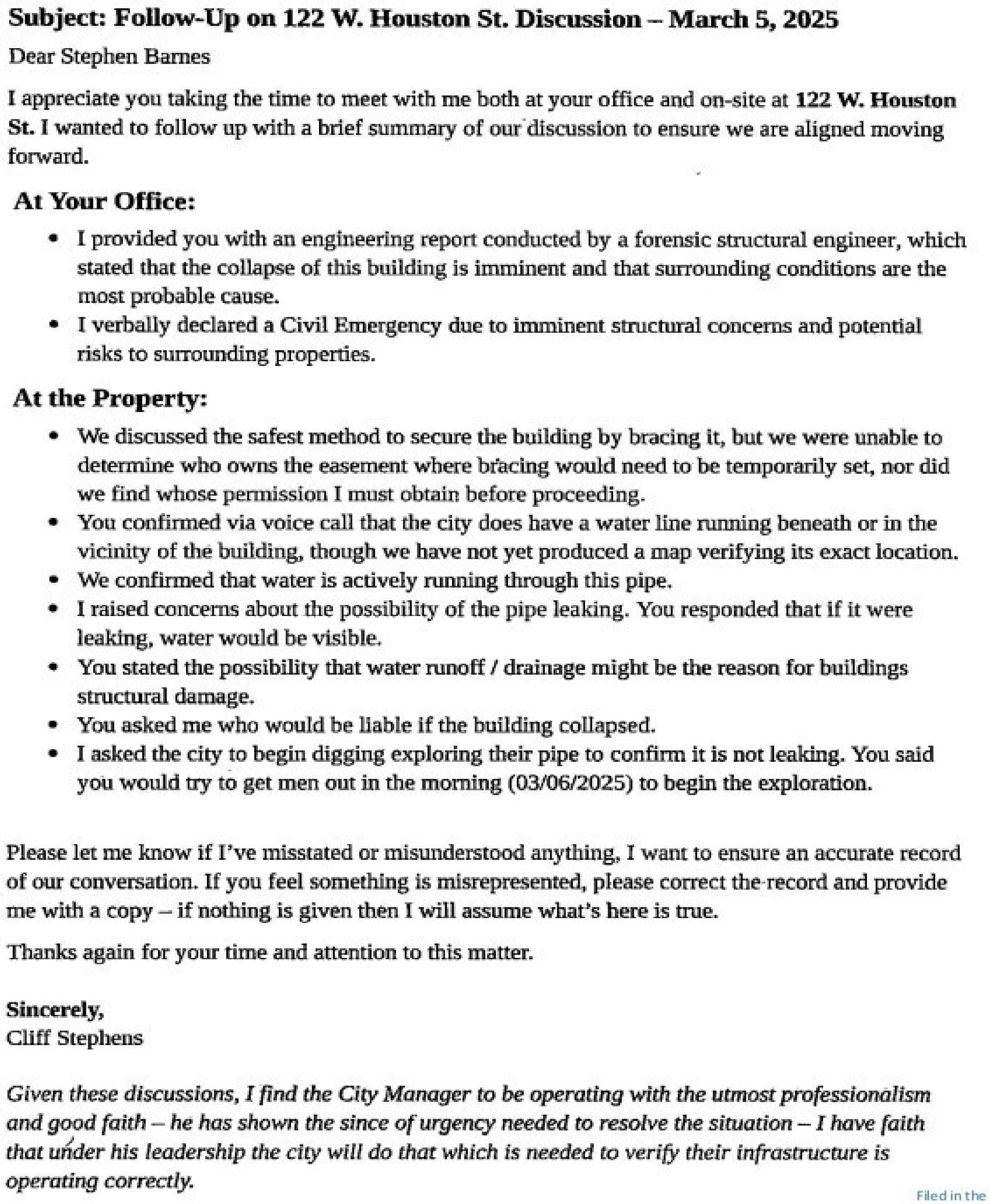
This exhibit documents the Petitioner's first attempt to resolve the structural emergency at 122 W. Houston Street through the City of Linden. Petitioner met in person with City Manager Stephen Barnes, presented a forensic engineering report confirming imminent collapse, and requested permission to install temporary structural supports.

The City Manager acknowledged the emergency. However, no action was taken, and the City did not provide any written authorization, denial, or follow-up. This meeting represents the point at which the emergency could have been resolved at the local level—but was not.

Mr. Barnes was provided with this summary in writing following the meeting and accepted it as accurate. He holds the original signed copy and raised no objections to its content.

Petitioner formally retracts any positive or good faith statements made in the attached letter regarding Mr. Barnes or the City of Linden, as subsequent inaction has rendered those sentiments no longer applicable.

Filed in the District Court
Of Travis County, Texas
At 04/07/2025 3:52PM
Velva L. Price, District Clerk



**Subject: Follow-Up on 122 W. Houston St. Discussion – March 5, 2025**

Dear Stephen Barnes

I appreciate you taking the time to meet with me both at your office and on-site at **122 W. Houston St.** I wanted to follow up with a brief summary of our discussion to ensure we are aligned moving forward.

## At Your Office:

- I provided you with an engineering report conducted by a forensic structural engineer, which stated that the collapse of this building is imminent and that surrounding conditions are the most probable cause.
- I verbally declared a Civil Emergency due to imminent structural concerns and potential risks to surrounding properties.

## At the Property:

- We discussed the safest method to secure the building by bracing it, but we were unable to determine who owns the easement where bracing would need to be temporarily set, nor did we find whose permission I must obtain before proceeding.
- You confirmed via voice call that the city does have a water line running beneath or in the vicinity of the building, though we have not yet produced a map verifying its exact location.
- We confirmed that water is actively running through this pipe.
- I raised concerns about the possibility of the pipe leaking. You responded that if it were leaking, water would be visible.
- You stated the possibility that water runoff / drainage might be the reason for buildings structural damage.
- You asked me who would be liable if the building collapsed.
- I asked the city to begin digging exploring their pipe to confirm it is not leaking. You said you would try to get men out in the morning (03/06/2025) to begin the exploration.

Please let me know if I've misstated or misunderstood anything, I want to ensure an accurate record of our conversation. If you feel something is misrepresented, please correct the record and provide me with a copy – if nothing is given then I will assume what's here is true.

Thanks again for your time and attention to this matter.

**Sincerely,**
Cliff Stephens

*Given these discussions, I find the City Manager to be operating with the utmost professionalism and good faith – he has shown the since of urgency needed to resolve the situation – I have faith that under his leadership the city will do that which is needed to verify their infrastructure is operating correctly.*

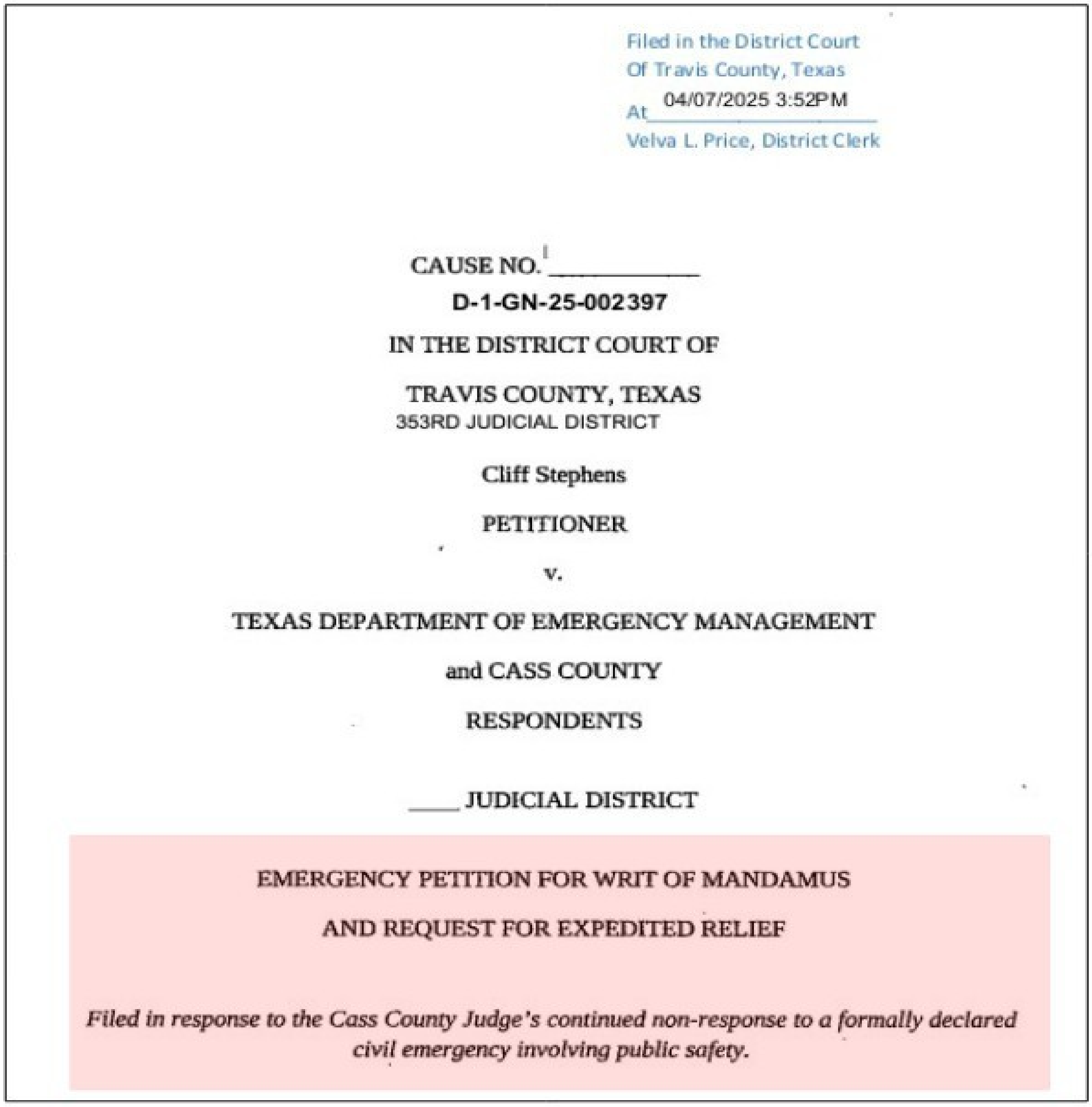
Filed in the District Court
Of Travis County, Texas
At 04/07/2025 3:52PM
Velva L. Price, District Clerk

EXHIBIT C (Continued : Filed in response to the Cass County Judges continued Non-response to a formally declared civil emergency involving public safety

Exhibit (C) :

*Filed in response to the Cass County Judge's continued non-response to a formally declared civil emergency involving public safety.*

EMERGENCY DECLARED IN THE COUNTY SEAT — NO RESPONSIVE ACTION TAKEN



Filed in the District Court
Of Travis County, Texas
At 04/07/2025 3:52PM
Velva L. Price, District Clerk

**CAUSE NO. ____________**
**D-1-GN-25-002397**

**IN THE DISTRICT COURT OF**

**TRAVIS COUNTY, TEXAS**
353RD JUDICIAL DISTRICT

**Cliff Stephens**

**PETITIONER**

**v.**

**TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT**

**and CASS COUNTY**

**RESPONDENTS**

**____ JUDICIAL DISTRICT**

**EMERGENCY PETITION FOR WRIT OF MANDAMUS**

**AND REQUEST FOR EXPEDITED RELIEF**

***Filed in response to the Cass County Judge's continued non-response to a formally declared civil emergency involving public safety.***

EXHIBIT Q

Exhibit (A)

5/27/2025 1:36 PM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Susan Schmidt

## V. PRAYER

Therefore, Defendant, Cass County, Texas, respectfully requests that the Court grant his plea to the jurisdiction and motion to dismiss and dismiss Plaintiff's claims with prejudice for purposes of refiling, or alternatively, that the Court grants Defendant's motion to transfer venue and that venue be transferred to Cass County, Texas, or alternatively, that Plaintiff is awarded nothing by this suit, and that Defendant recover all costs, and any other relief to which Defendant is entitled.

Respectfully submitted,

Courtney Shelton

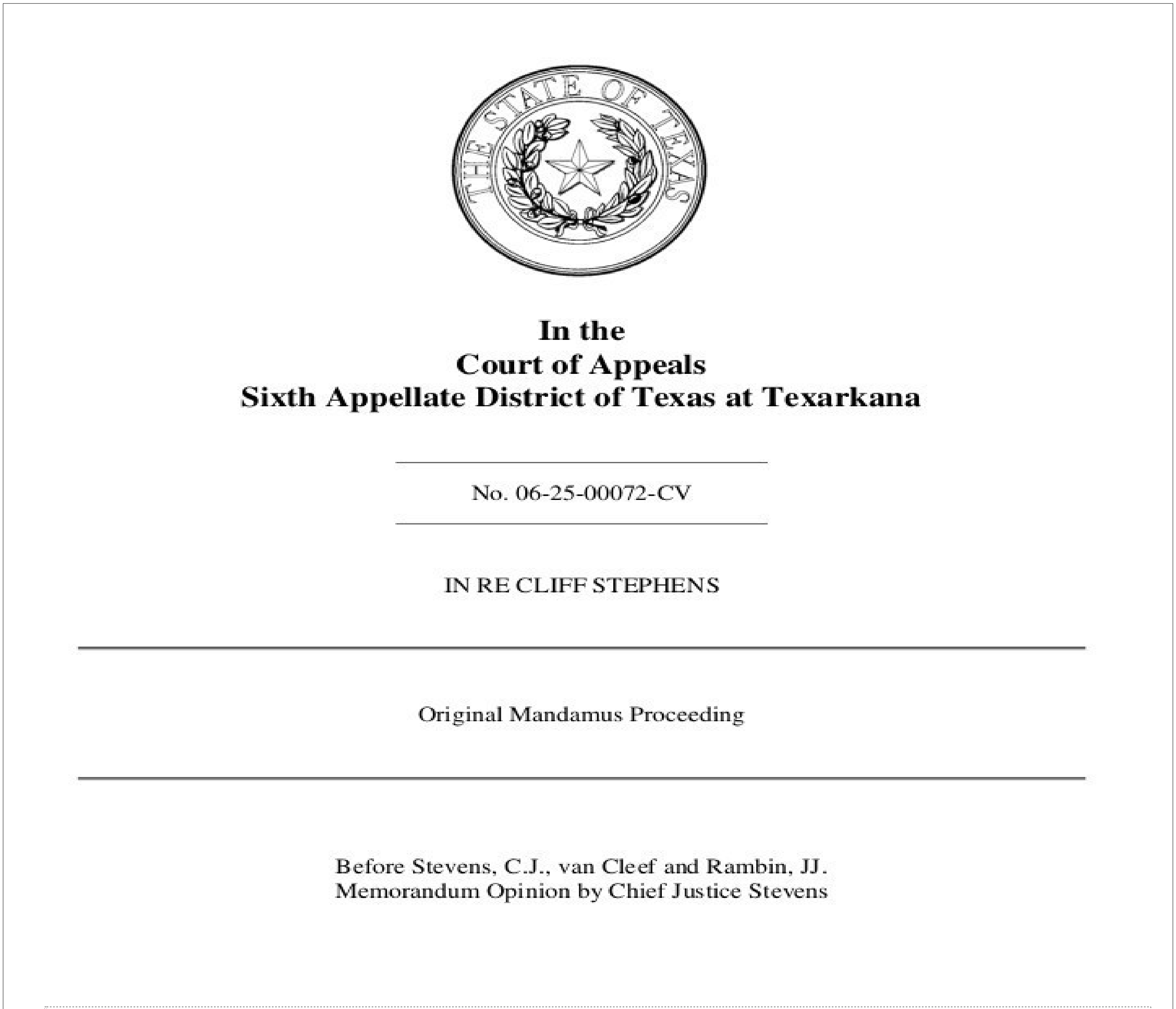
Courtney Shelton
Criminal District Attorney
TBN: 24043354
P.O. Box 839
Linden, TX 75563
Phone: (903) 756-7541
Fax: (903) 756-3210

## VERIFICATION

Before me, the undersigned notary public, on this day personally appeared Travis Ransom, Cass County Judge, known to me, who after being duly sworn, upon his oath stated that he is the defendant in the above-captioned cause; that he has read the foregoing document; and that every statement contained therein is true and correct within his personal knowledge, except as to those statements contained herein that are stated on information and belief, which he believes to be true.

Affiant

Exhibit S: Reclassification of Original Emergency Filing



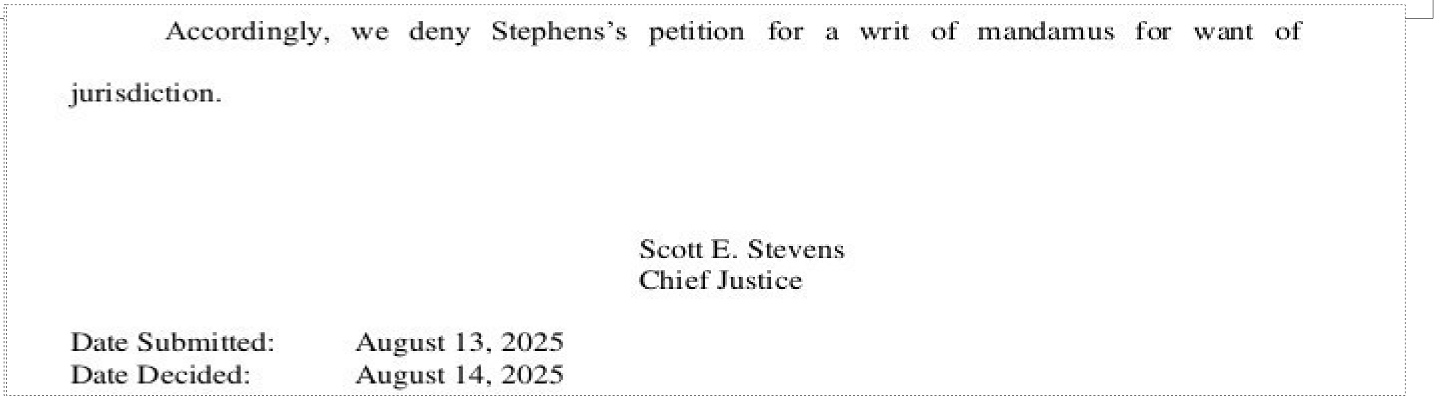
**In the**
**Court of Appeals**
**Sixth Appellate District of Texas at Texarkana**

No. 06-25-00072-CV

IN RE CLIFF STEPHENS

Original Mandamus Proceeding

Before Stevens, C.J., van Cleef and Rambin, JJ.
Memorandum Opinion by Chief Justice Stevens



Accordingly, we deny Stephens's petition for a writ of mandamus for want of jurisdiction.

Scott E. Stevens
Chief Justice

Date Submitted: August 13, 2025
Date Decided: August 14, 2025

EXHIBIT L

Outlook

## Re: Civil Emergency Intake Address - Cass County

**From** Cliff Stephens <cliff@anexso.life>
**Date** Fri 2/6/2026 9:11 AM
**To** travis.ransom@casscountytx.gov <travis.ransom@casscountytx.gov>
**Cc** Nathan Carroll <nathan.carroll@tdem.texas.gov>

Judge Ransom,

The Public Record – Looking for the Public Record – that's the Emergency Intake System.

- Cliff Stephens

---

**From:** Cliff Stephens
**Sent:** Friday, January 30, 2026 1:15 PM
**To:** travis.ransom@casscountytx.gov <travis.ransom@casscountytx.gov>
**Cc:** Nathan Carroll <nathan.carroll@tdem.texas.gov>
**Subject:** Civil Emergency Intake Address - Cass County

Dear Judge Ransom,

What is the physical intake system address for the Civil Emergency Management system in Cass County?

-Cliff Stephens

EXHIBIT N

Outlook

---

**RE: LOCAL RULES : CASS COUNTY COURT**

---

**From** Keisha Shelling <keisha.shelling@casscountytx.gov>
**Date** Mon 12/22/2025 11:39 AM
**To** Cliff Stephens <cliff@anexso.life>

Hi Cliff,

You must E-file your motion and order for the Judge's review. Once your order is routed to the 5th District Judge, he will review it, and either sign your order or reject it. You may also contact me if the order needs immediate attention, and I will bring it to the Judge's attention for immediate review. I hope that answers your question. Thank you!!

**Keisha Shelling**

---

**From:** Cliff Stephens <cliff@anexso.life>
**Sent:** Monday, December 22, 2025 11:23 AM
**To:** Keisha Shelling <keisha.shelling@casscountytx.gov>
**Subject:** Re: LOCAL RULES : CASS COUNTY COURT

Keshia ,

Okay thanks for responding.

What's the mechanism an emergency matter is formally filed, acknowledged, and routed in Cass County?

Thanks,
Cliff Stephens
Public Memeber

---

**From:** Keisha Shelling <keisha.shelling@casscountytx.gov>
**Sent:** Monday, December 22, 2025 10:57 AM
**To:** Cliff Stephens <cliff@anexso.life>
**Subject:** RE: LOCAL RULES : CASS COUNTY COURT

Good morning,

Cass County does not have Local Rules. Please let me know if you have any other questions.

Respectfully,

**Keisha Shelling**

**Court Coordinator**
**5th District Court**
**Cass County, Texas**
**604 Highway 8 N.**
**Linden, TX 75563**
**Phone (903) 756-7515 Ext. 1**
**keisha.shelling@casscountytx.gov**

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EXHIBIT N

---

**From:** Cliff Stephens <cliff@anexso.life>
**Sent:** Saturday, December 20, 2025 2:40 PM
**To:** Keisha Shelling <keisha.shelling@casscountytx.gov>
**Subject:** LOCAL RULES : CASS COUNTY COURT

Hello,

Where may I find the *Local Rules* for the Court in CASS COUNTY?

Please provide a link if you have one?

Thanks,

Cliff Stephens

Linden Tx

5/16/26, 10:30

EXHIBIT K

Outlook

**Re: Clarification of TDEM’s Role and Jurisdiction**

**From** Cliff Stephens <cliff@anexso.life>
**Date** Thu 4/2/2026 7:00 PM
**To** Nathan Carroll <Nathan.Carroll@tdem.texas.gov>

Received. Acknowledged.

For administrative clarity, please identify the designated Cass County Emergency Management contact. Additionally, indicate whether a current emergency communications intake exists for Cass County emergency management?

Thank you,

Cliff Stephens

---

**From:** Nathan Carroll <Nathan.Carroll@tdem.texas.gov>
**Sent:** Thursday, April 2, 2026 6:23 PM
**To:** Cliff Stephens <cliff@anexso.life>
**Subject:** Clarification of TDEM’s Role and Jurisdiction

Dear Mr. Stephens ,

I am writing to clarify the role of the Texas Division of Emergency Management (TDEM) regarding the matter you referenced.

TDEM has no involvement in your case and has no jurisdiction or authority to take any action related to it. As such, we are unable to provide assistance or intervene in any way.

Additionally, TDEM is not a pathway, intermediary, or clearinghouse for correspondence with any other agency. Any inquiries, documentation, or communications related to your matter must be directed to the appropriate agency directly. Please discontinue copying TDEM on correspondence with other agencies, as we have no role or authority in those communications.

We respectfully ask that any future correspondence regarding this issue be sent only to the agency with proper jurisdiction over your case.

Thank you,

Nathan Carroll
District Chief
Texas Division of Emergency Management
Cell: 903-241-0555
Office: 903-575-5381
TDEM_Seal-448x448

EXHIBIT M

KEN PAXTON
ATTORNEY GENERAL OF TEXAS

May 15, 2026

Tamara Smith
Open Records Division
Office of the Attorney General
P.O. Box 12548
Austin, TX 78711-2548

Re: Public Information Request Nos. R032285, R032292 & R032296

Dear Ms. Smith:

On May 4, 2026, the Office of the Attorney General ("OAG") received three public information requests under the Public Information Act ("PIA"), Chapter 552, Government Code, from Mr. Cliff Stephens. The requests are attached as Exhibit A. In accordance with section 552.3031 of the Government Code, this brief was timely delivered on May 15, 2026.

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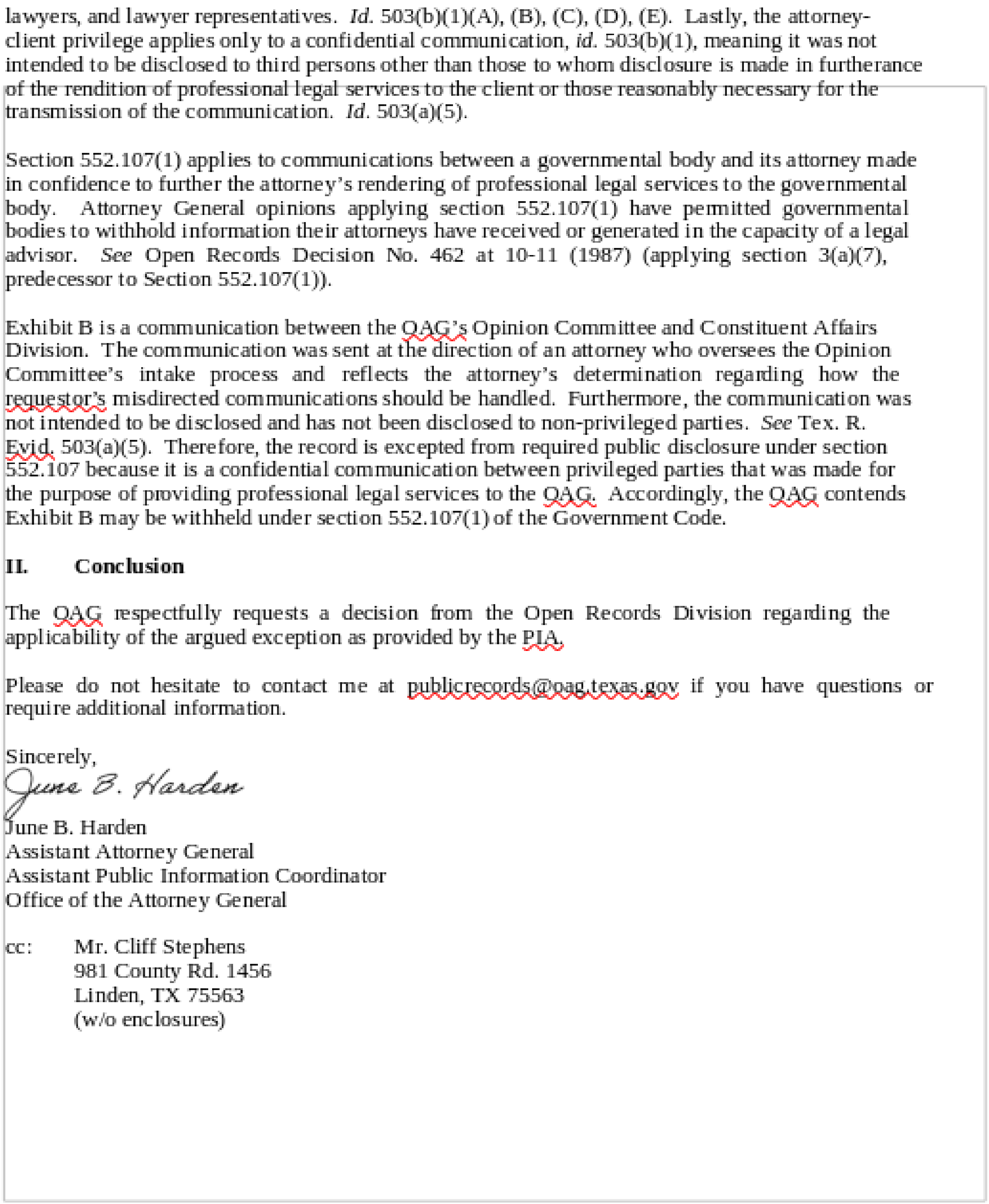
EXHIBIT M



lawyers, and lawyer representatives. *Id.* 503(b)(1)(A), (B), (C), (D), (E). Lastly, the attorney-client privilege applies only to a confidential communication, *id.* 503(b)(1), meaning it was not intended to be disclosed to third persons other than those to whom disclosure is made in furtherance of the rendition of professional legal services to the client or those reasonably necessary for the transmission of the communication. *Id.* 503(a)(5).

Section 552.107(1) applies to communications between a governmental body and its attorney made in confidence to further the attorney's rendering of professional legal services to the governmental body. Attorney General opinions applying section 552.107(1) have permitted governmental bodies to withhold information their attorneys have received or generated in the capacity of a legal advisor. *See* Open Records Decision No. 462 at 10-11 (1987) (applying section 3(a)(7), predecessor to Section 552.107(1)).

Exhibit B is a communication between the OAG's Opinion Committee and Constituent Affairs Division. The communication was sent at the direction of an attorney who oversees the Opinion Committee's intake process and reflects the attorney's determination regarding how the requestor's misdirected communications should be handled. Furthermore, the communication was not intended to be disclosed and has not been disclosed to non-privileged parties. *See* Tex. R. Evid. 503(a)(5). Therefore, the record is excepted from required public disclosure under section 552.107 because it is a confidential communication between privileged parties that was made for the purpose of providing professional legal services to the OAG. Accordingly, the OAG contends Exhibit B may be withheld under section 552.107(1) of the Government Code.

## II. Conclusion

The OAG respectfully requests a decision from the Open Records Division regarding the applicability of the argued exception as provided by the PIA.

Please do not hesitate to contact me at publicrecords@oag.texas.gov if you have questions or require additional information.

Sincerely,

June B. Harden

June B. Harden
Assistant Attorney General
Assistant Public Information Coordinator
Office of the Attorney General

cc: Mr. Cliff Stephens
981 County Rd. 1456
Linden, TX 75563
(w/o enclosures)

EXHIBIT O

Outlook

**re: I need assistance with Emergency Management**

**From** Office of Texas Governor Greg Abbott <constituentcommunication@txgov.zendesk.com>
**Date** Tue 8/19/2025 9:48 AM
**To** Cliff Stephens <cliff@anexso.life>

GOVERNOR GREG ABBOTT

Dear Mr. Stephens,

Thank you for contacting the Office of the Governor. We understand you are seeking assistance with a gas line in Cass County. Please know that the wellbeing of all Texans remains a priority for Governor Abbott.

We appreciate you bringing this matter to our attention. It is important to note that counties in Texas have significant autonomy and authority, and utility line maintenance falls within local jurisdiction. You may therefore wish to continue working with Cass County directly to determine how you can be best assisted. If you remain unsatisfied with assistance you have received from Cass County staff, you may consider sharing your concerns with the county judge or county commissioners.

You may also wish to contact the Public Utilities Commission (PUC) directly to inform them of this matter.

We wish you all the best. Please let us know if we can assist you in the future.

Sincerely,

Marie Dahlmann

Marie Dahlmann
Deputy Director
Constituent Communication Division
Office of the Governor

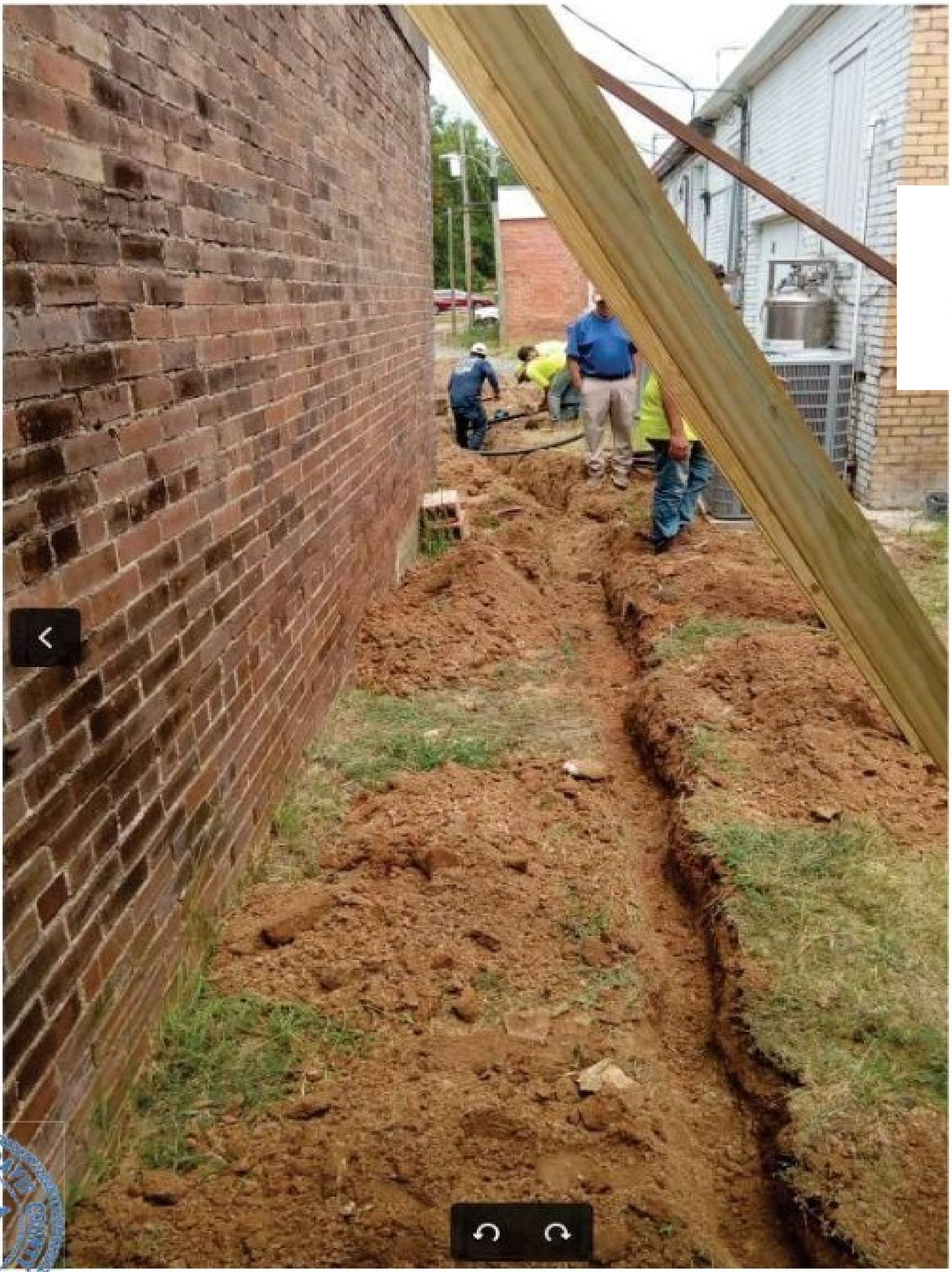
---

Post Office Box 12428, Austin, Texas 78711
512-463-2000 (Voice) | Dial 7-1-1 For Relay Services

[R994G2-DW1XV]

## EXHIBIT R : City Repairing Damaged Line

Image depicting City of Linden personnel performing excavation and replacement of the water line adjacent to the courthouse hazard wall, with the Mayor of Linden present on site in a blue shirt.



5/18/2026 12:00 AM
Velva L. Price
District Clerk
Travis County
D-1-GN-25-002397
Norma Ybarra

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

Cliff Stephens

PETITIONER

v.

TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

and CASS COUNTY

RESPONDENTS

353rd JUDICIAL DISTRICT

Notice of Submission on the Written Briefs

TO THE HONORABLE JUDGE OF SAID COURT:

Petitioner, Cliff Stephens, Pro Se, files this Notice of Submission on the Written Briefs and respectfully shows the Court:

1) The evidentiary record concerning Respondents' Plea to the Jurisdiction and Motion to Dismiss is primarily documentary and presently before the Court.
2) The issues presented concern resolution of the written administrative record under Texas Government Code Chapter 418.
3) Petitioner does not believe oral argument would materially assist the Court beyond the written record presently before it.
4) Accordingly, in the interest of judicial economy and expedited consideration, Petitioner respectfully requests that the Court consider and rule upon Respondents' Plea to the Jurisdiction and Petitioner's Emergency Petition for Writ of Mandamus based upon the written submissions presently on file.
5) Petitioner has requested that the Court Coordinator set this matter for an administrative submission date on the Court's calendar.

Respectfully submitted,

/s/ Cliff Stephens
Cliff Stephens, Petitioner Pro Se

No.________

---

# In The United States Court Of Appeals

# For The Fifth Circuit

**In RE: CLIFF STEPHENS, Petitioner**

Cliff Stephens
981 County Road 1456
Linden, Texas 75563
(903) 665-0685
cliff@anexso.life
Relator Pro Se

No._______

---

# In The United States Court Of Appeals

# For The Fifth Circuit

**In RE: CLIFF STEPHENS, Petitioner**

---

Cliff Stephens
981 County Road 1456
Linden, Texas 75563
(903) 665-0685
cliff@anexso.life
Relator Pro Se

pg 1 Table of Contents Table of Authorities
pg 2 Jurisdiction Statement of Facts
pg 3 Issue Presented Standard for Mandamus
pg 4 Argument Relief Requested
pg 5 Conclusion
pg 6 Proposed Order

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Statutes
28 U S C 1292(a)(1)
28 U S C 1651(a)

Rules
Fed R App P 3(d)(1)
Fed R App P 11(a)

SDICTION

urt carries jurisdiction under 28 U S C 1651(a) to issue a writ in aid of its appellate
ty. A district clerk carries a ministerial duty under FRAP 3(d)(1) and FRAP 11(a) to
t the notice of appeal and the record. A withheld transmittal blocks docketing under 28
292(a)(1) and places the exercise of appellate jurisdiction in jeopardy. The appeal
s administrative questions which arise from *extraordinary circumstances* connected to
s of the record inside the county seat. The circumstances require appellate supervision
nnot reach review until the act of transmittal occurs. A writ becomes required once a
rial duty is withheld in a manner which removes the ordinary pathway for appellate
tion and leaves no remedy inside the district court.

TEMENT OF FACTS

r sought administrative clarification in Case Number 2:25 cv 01094 regarding the
location of the District Clerk office and the situs of the federal record. The request
ed foundational matters of record custody and filing procedure required for compliance
eral rules. The statutory courthouse stands at 100 East Houston Street. County operations
at the Cass County Law Enforcement and Justice Center at 604 Highway Eight North.
rgence between the statutory site and the operational site created uncertainty regarding
rvice, record maintenance, and security obligations under S B Forty Two. The
rative landscape required clarity due to the reliance of the appeal pathway on accurate
ation of the record situs and its chain of custody.

r filed a Notice of Appeal on November Twenty 2025. A district clerk carries a
al duty to transmit the notice under FRAP Three(d)(1) and to transmit the record under
leven(a). The clerk withheld transmittal. The withheld transmittal blocks docketing
U S C 1292(a)(1) and restricts the exercise of appellate jurisdiction. Administrative
esented in the district court remain outside review until the notice and record reach the
writ becomes required to compel the ministerial act and restore the pathway for
jurisdiction.

## UE PRESENTED

ct clerk carries a ministerial duty under FRAP 3(d)(1) and FRAP 11(a) to transmit a
of appeal and the record. Absence of transmission blocks docketing under 28 U S C §
)(1) and restricts appellate jurisdiction. The appeal contains administrative questions
from extraordinary circumstances connected to the situs of the record inside the county
he issue concerns the authority of the Court to compel the ministerial act required to
e appellate jurisdiction.

## ANDARD FOR MANDAMUS

of mandamus arises from authority granted through 28 U S C § 1651(a), which
ers Courts of Appeals to issue writs in aid of jurisdiction. The remedy carries
onal character and exists to secure appellate authority created by Congress and to
e the orderly movement of an appeal in circumstances where *administrative conditions*
its path. A petitioner must show a clear duty, a clear right to performance, and an
e of any internal pathway capable of advancing the matter toward review.

ndard applies to duties assigned to the District Clerk under FRAP 3(d)(1) and FRAP
These duties require transmission of the notice of appeal and the record. The duties carry
rial character and proceed without discretion. Their execution controls placement of an
inside the circuit docket and establishes the point at which appellate jurisdiction
es active under 28 U S C § 1292(a)(1). Absence of transmission halts movement of the
and produces a suspension of jurisdiction until corrective action occurs.

stances of administrative uncertainty inside a district system shape the urgency of the
d. A divided county seat concerning the situs of the record, daily custody of filings, and
n of judicial operations creates an environment where clarity and accuracy carry
ned significance. A withheld transmittal inside such a landscape creates a structural
which no mechanism inside the district court can resolve. The Court carries
ibility to protect its jurisdiction and retains authority to issue a writ which directs
nance of the ministerial act required for restoration of the appeal pathway. Mandamus
es the instrument through which appellate review can proceed.

GUMENT

ministerial duty arises under FRAP 3(d)(1) and FRAP 11(a). Federal rule directs the Clerk to transmit the notice of appeal and the record. The duty carries full force and s no element of discretion. Absence of transmission halts movement of the appeal and ds activation of appellate jurisdiction under 28 U S C § 1292(a)(1). A suspension of that aches the core structure of appellate oversight and calls for corrective authority from the

ord contains administrative questions shaped by extraordinary circumstances inside a county seat. Judicial activity proceeds at a location distinct from the statutory use. The arrangement produces uncertainty concerning custody of filings and the situs ederal record. A withheld transmittal inside such a landscape creates a structural freeze no internal mechanism inside the district system can cure. Relator carries a clear right to nance of the ministerial act that permits advance into the appellate framework.

ndamus standard is satisfied in full. The petition displays a clear duty, a clear right to nance, and an absence of any internal pathway capable of restoring movement toward Authority under 28 U S C § 1651(a) grants the power to compel execution of the rial act and to preserve the appellate structure created by Congress. A writ which directs ssion of the notice of appeal and the record restores the appeal pathway and secures the tion of the Court. Mandamus provides the instrument through which review proceeds.

LIEF REQUESTED

seeks a writ of mandamus under Twenty Eight U S C § 1651(a). The writ carries ty to direct the District Clerk to transmit the notice of appeal filed on November Twenty housand Twenty Five and to transmit the record in Case Number Two Twenty Five cv he Zero Nine Four as required under FRAP Three(d)(1) and FRAP Eleven(a). etion of the ministerial act permits placement of the appeal inside the circuit docket Twenty Eight U S C § 1292(a)(1) and restores the pathway for appellate jurisdiction. seeks all relief consistent with the supervisory authority of the Court for preservation of ellate structure created by Congress.

## ONCLUSION

presents a ministerial duty under FRAP Three(d)(1) and FRAP Eleven(a). Federal rule
transmission of the notice of appeal and the record, and the duties proceed without
on. Relator carries a right to performance, and the pathway into the appellate framework
s suspended until completion of the ministerial act. Absence of transmission halts
ent of the appeal and suspends activation of appellate jurisdiction under Twenty Eight U
292(a)(1). A suspension of that kind reaches a structural level and engages the
sory authority of the Court.

strative conditions inside a divided county seat create an environment where clarity,
y, and custody of filings carry heightened significance. Judicial activity proceeds at a
tinct from the statutory courthouse, and the record exists inside a landscape shaped by
ural uncertainty. A withheld transmittal inside such conditions creates a structural freeze
no mechanism inside the district system can cure. Only the ministerial act required under
rule carries authority to restore movement of the appeal toward the circuit docket.

ity under Twenty Eight U S C § 1651(a) empowers the Court to act in aid of jurisdiction.
ss granted that authority for circumstances where procedural structure requires
ntion by an appellate tribunal. Completion of the ministerial act permits placement of
eal inside the circuit docket and restores the pathway required for review of federal
ns. Relator seeks all relief consistent with the supervisory authority of the Court for
ation of the appellate structure created by Congress.

tfully submitted,

Stephens

ephens
, pro se
unty Road 1456
Tx 75563
5-0685
nexso.life

No. ___________

# In The United States Court Of Appeals
# For The Fifth Circuit

Petition for Writ of Mandamus

The Court has considered the petition for a writ of mandamus. The petition presents a ministerial duty under FRAP 3(d)(1) and FRAP 11(a) to transmit the notice of appeal filed on November 20, 2025, and to transmit the record in Case Number 2:25-cv-01094. The petition presents a right to performance and an absence of any internal pathway capable of restoring movement toward appellate review. Authority under 28 U.S.C. § 1651(a) permits issuance of a writ in aid of jurisdiction.

IT IS ORDERED that the District Clerk of the United States District Court for the Eastern District of Texas shall transmit the notice of appeal and the record in Case Number 2:25-cv-01094 to the Clerk of the United States Court of Appeals for the Fifth Circuit under FRAP 3(d)(1) and FRAP 11(a).

IT IS FURTHER ORDERED that the Clerk of the United States Court of Appeals for the Fifth Circuit shall take all steps required for placement of the appeal inside the circuit docket under 28 U.S.C. § 1292(a)(1).

For the Court ____________________

***United States Court of Appeals***
**FIFTH CIRCUIT**
**OFFICE OF THE CLERK**

**LYLE W. CAYCE**
**CLERK**

**TEL. 504-310-7700**
**600 S. MAESTRI PLACE,**
**Suite 115**
**NEW ORLEANS, LA 70130**

December 10, 2025

Mr. Cliff Stephens
981 County Road 1456
Linden, TX 75563

No. 25-40804 In re: Cliff Stephens
USDC No. 2:25-CV-1094

Dear Mr. Stephens,

We have docketed the petition for writ of mandamus, and ask you to use the case number above in future inquiries.

Filings in this court are governed strictly by the Federal Rules of **Appellate** Procedure. We cannot accept motions submitted under the Federal Rules of **Civil** Procedure. We can address only those documents the court directs you to file, or proper motions filed in support of the appeal. See Fed. R. App. P. and 5th Cir. R. 27 for guidance. We will not acknowledge or act upon documents not authorized by these rules.

Your petition is deficient for the reason(s) listed below. **You must comply within 30 days of the date of this letter. If you fail to comply we will dismiss your petition for writ of mandamus without further notice.**

- **A copy of any order or opinion, or parts of the record essential to understand the matters set forth in the petition is required pursuant to Fed. R. App. P. 21(a)(C) and 5th Cir. R. 21. If these documents cannot be Provided, then file a letter stating the reason and Reference the document on the Originating Court's docket Sheet.**

- **You have not paid the $600.00 docketing fee, or filed a Motion and affidavit for leave to proceed in forma Pauperis Under 28 U.S.C. § 1915(a). A form is enclosed.**

Once the sufficient petition is prepared, or a separate Exhibits in Support of the petition containing the above-referenced required content is prepared, it must be emailed to: pro_se@ca5.uscourts.gov for review.

Sincerely,

LYLE W. CAYCE, Clerk

Roeshawn Johnson

By: _________________________
Roeshawn Johnson, Deputy Clerk
504-310-7998

cc: Mr. David O'Toole

Provided below is the court's official caption. Please review the parties listed and advise the court immediately of any discrepancies. If you are required to file an appearance form, a complete list of the parties should be listed on the form exactly as they are listed on the caption.

Case No. 25-40804

In re: Cliff Stephens,

Petitioner

# UNITED STATES DISTRICT COURT
for the
________________ DISTRICT OF________________

| | | |
|---|---|---|
| ______________________________,<br><br>Plaintiff(s)<br><br>v.<br><br>______________________________,<br><br>Defendant(s) | )<br>)<br>)<br>)<br>)<br>)<br>)<br>)<br>)<br>) | Case No. 25-40804 |

## AFFIDAVIT ACCOMPANYING MOTION FOR PERMISSION TO APPEAL IN FORMA PAUPERIS

| Affidavit in Support of Motion | Instructions |
|---|---|
| I swear or affirm under penalty of perjury that, because of my poverty, I cannot prepay the docket fees of my appeal or post a bond for them. I believe I am entitled to redress. I swear or affirm under penalty of perjury under United States laws that my answers on this form are true and correct. (28 U.S.C. § 1746; 18 U.S.C. § 1621.) | Complete all questions in this application and then sign it. Do not leave any blanks: if the answer to a question is "0," "none," or "not applicable (N/A)," write in that response. If you need more space to answer a question or to explain your answer, attach a separate sheet of paper identified with your name, your case's docket number, and the question number. |
| Signed: ____________________________ | Date: ____________________________ |

My issues on appeal are: ________________________________________________________

____________________________________________________________________________

____________________________________________________________________________

____________________________________________________________________________

____________________________________________________________________________

1. For both you and your spouse estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.

| Income source | Average monthly amount during the past 12 months | | Amount expected next month | |
|---|---|---|---|---|
| | You | Spouse | You | Spouse |
| Employment | $ | $ | $ | $ |
| Self-employment | $ | $ | $ | $ |
| Income from real property (such as rental income) | $ | $ | $ | $ |
| Interest and dividends | $ | $ | $ | $ |
| Gifts | $ | $ | $ | $ |
| Alimony | $ | $ | $ | $ |
| Child support | $ | $ | $ | $ |
| Retirement (such as social security, pensions, annuities, insurance) | $ | $ | $ | $ |
| Disability (such as social security, insurance payments) | $ | $ | $ | $ |
| Unemployment payments | $ | $ | $ | $ |
| Public-assistance (such as welfare) | $ | $ | $ | $ |
| Other (specify): | $ | $ | $ | $ |
| Total monthly income: | $ | $ | $ | $ |

2. List your employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

| Employer | Address | Dates of employment | Gross monthly pay |
|---|---|---|---|
| | | | $ |
| | | | $ |
| | | | $ |

3. List your spouse's employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

| Employer | Address | Dates of employment | Gross monthly pay |
|---|---|---|---|
| | | | $ |
| | | | $ |
| | | | $ |

4. How much cash do you and your spouse have? $________

Below, state any money you or your spouse have in bank accounts or in any other financial institution.

| Financial Institution | Type of Account | Amount you have | Amount your spouse has |
|---|---|---|---|
| | | $ | $ |
| | | $ | $ |
| | | $ | $ |

If you are a prisoner seeking to appeal a judgment in a civil action or proceeding, you must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings.

| Home | Other real estate | Motor vehicle #1 |
|---|---|---|
| (Value) $ | (Value) $ | (Value) $ |
| | | Make and year: |
| | | Model: |
| | | Registration #: |

| | | |
|---|---|---|
| Motor vehicle #2 | Other assets | Other assets |
| (Value) $ | (Value) $ | (Value) $ |
| Make and year: | | |
| Model: | | |
| Registration #: | | |

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

| Person owing you or your spouse money | Amount owed to you | Amount owed to your spouse |
|---|---|---|
| | $ | $ |
| | $ | $ |
| | $ | $ |
| | $ | $ |

7. State the persons who rely on you or your spouse for support.

| Name [or, if under 18, initials only] | Relationship | Age |
|---|---|---|
| | | |
| | | |
| | | |

8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any payments that are made weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate.

| | You | Your Spouse |
|---|---|---|
| Rent or home-mortgage payment (include lot rented for mobile home)<br>Are real estate taxes included? [ ] Yes [ ] No<br>Is property insurance included? [ ] Yes [ ] No | $ | $ |
| Utilities (electricity, heating fuel, water, sewer, and telephone) | $ | $ |

| | | |
|---|---|---|
| Home maintenance (repairs and upkeep) | $ | $ |
| Food | $ | $ |
| Clothing | $ | $ |
| Laundry and dry-cleaning | $ | $ |
| Medical and dental expenses | $ | $ |
| Transportation (not including motor vehicle payments) | $ | $ |
| Recreation, entertainment, newspapers, magazines, etc. | $ | $ |
| Insurance (not deducted from wages or included in mortgage payments) | | |
| Homeowner's or renter's: | $ | $ |
| Life: | $ | $ |
| Health: | $ | $ |
| Motor vehicle: | $ | $ |
| Other: | $ | $ |
| Taxes (not deducted from wages or included in mortgage payments) (specify): | $ | $ |
| Installment payments | | |
| Motor Vehicle: | $ | $ |
| Credit card (name): | $ | $ |
| Department store (name): | $ | $ |
| Other: | $ | $ |
| Alimony, maintenance, and support paid to others | $ | $ |
| Regular expenses for operation of business, profession, or farm (attach detailed statement) | $ | $ |
| Other (specify): | $ | $ |
| Total monthly expenses: | $ | $ |

9. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months?

[ ] Yes [ ] No If yes, describe on an attached sheet.

10. Have you spent — or will you be spending — any money for expenses or attorney fees in connection with this lawsuit? [ ] Yes [ ] No

    If yes, how much? $ ___________

11. Provide any other information that will help explain why you cannot pay the docket fees for your appeal.

12. State the city and state of your legal residence.

    Your daytime phone number: (____) ______________

    Your age: ________ Your years of schooling: ________

    Last four digits of your social-security number:_______

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

Cliff Stephens

PETITIONER

v

TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

CASS COUNTY

RESPONDENTS

353rd JUDICIAL DISTRICT

# SUBMISSION FOR JUDICIAL AWARENESS

# NOTICE OF VENUE FAILURE

E HONORABLE JUDGE OF SAID COURT:

omission is provided solely for judicial awareness regarding subsequent federal proceedings that om the same underlying factual record previously presented to this Court in the above-ed cause.

ched filings (primarily In re Stephens, No. 25-40804 (5th Cir.), together with related docket nd exhibits from ED Tex. Nos. 2:25-cv-01087 and 2:25-cv-01094, and 5th Cir. Nos. 25-40762, 2, and related proceedings) document that the federal district court generated only procedural nd did not issue any substantive order addressing the emergency record, venue conditions, use operational status, communication history with the Texas Department of Emergency ment (TDEM), or the structural issues raised.

eral submission further explains that the underlying record presented to the federal courts ed directly from Cause No. D-1-GN-25-002397 in the 353rd Judicial District Court and s the following operational and emergency-management matters:

rthouse operational continuity
ue structure and governmental functions
ergency communication routing
ence of courthouse security
ation of county governmental functions
ergency mitigation communications transmitted through TDEM

ched affidavit and accompanying exhibits were assembled to explain to the Fifth Circuit why no ive district-court order existed for appellate review under FRAP 21(a)(2)(C). These materials ed in the federal proceedings solely to preserve and transmit the emergency record for higher

ntly, Petitioner has now voluntarily withdrawn or dismissed the federal proceedings (see, e.g., y dismissal notices filed February 22–23, 2026 in 5th Cir. Nos. 25-40804, 25-40762, and 26-nd corresponding notices of voluntary dismissal without prejudice in the district-court actions). ismissals were entered without prejudice and without any adjudication on the merits. The filings therefore do not re-litigate any matters already before this Court; they simply document edural path the same emergency record took after leaving state court.

omission is made to ensure the 353rd Judicial District Court maintains a complete situational-ss record of the parallel federal activity that arose from the identical factual predicate. No action or response is requested at this time.

fully submitted,

Stephens

ephens, Pro Se

No. 25-40804

---

# In The United States Court Of Appeals

# For The Fifth Circuit

**In RE: CLIFF STEPHENS, Petitioner**

---

Submission to Cure Deficiency

Under FRAP 21(a)(2)(C)

Respectfully submitted,

/s/ Cliff Stephens

Address on file

Email on file

Phone on file

Date: December 11, 2025

## RODUCTION

ner submits this statement to cure the deficiency under Federal Rule of Appellate ure 21(a)(2)(C). The district court did not issue a substantive order capable of providing urt with the record material requested by the Clerk. The proceeding below produced only ef procedural entries. Neither entry reflects an evaluation of the emergency conditions ed, and neither entry resolves the issues raised in the petition. The essential ruling ed in Rule 21 does not exist. This filing explains the absence of an adjudicative order pplies the available record.

## RUCTURAL IMPOSSIBILITY OF SERVICE

ord establishes that service under ordinary civil procedures cannot function in this The Cass County Judge does not maintain a fixed public office within the county seat. urthouse remains the statutory seat of government, yet the Judge operates from a e facility without lawful designation. No physical office has been identified by the State County as the location where process may be delivered. This condition has been vledged by State officials through the emergency chain of communication.

xas Department of Emergency Management issued notice to the County Judge under the ncy management framework. The Judge did not respond. More than two hundred days without acknowledgment or action. This period forms part of the State emergency The emergency chain is the only chain that has reached the County Judge, and no y evidence has been presented by any authority.

trict court entered its procedural orders without this record. The impossibility of service tter of fact established by the State emergency record. Any federal order dependent upon service procedures cannot reach the Respondent under these conditions.

## TRAORDINARY CIRCUMSTANCES REQUIRING FEDERAL REVIEW

nergency conditions arise from the State emergency record. One concerns the risk of ral collapse and the need for immediate mitigation. One concerns the condition of the use, the location of the county seat, the absence of security, and the open exposure of public records dating back to the nineteenth century. Each condition carries obligations e and local officials rooted in statute and emergency protocol. Each condition advances wn timeline and produces consequences independent of the other.

trict court acted without this record. No federal order reflects review of the State ncy communication, the engineering findings, the acknowledgment by the State ncy authority, or the absence of any challenge by local officials. The conditions remain The courthouse continues to operate without armed security, and the county seat es to function without the presence of the County Judge. Historic records remain open ublic without supervision.

## OTICE AND THE STATE EMERGENCY RECORD

xas Department of Emergency Management delivered formal notice to the County Judge the emergency chain of communication. The County Judge gave no reply across a span ng two hundred days. This interval forms part of the State emergency record. No local y issued any challenge to the emergency designation, the engineering findings, the State nication, the condition of the courthouse, the status of the county seat, the absence of , the exposure of historic records, or the urgency identified in State correspondence.

trict court entered procedural text without reference to this record. The State emergency contains confirmation of active notice, continuing risk, and statutory responsibilities for s charged with emergency action. The district court generated entries without integration e elements. As a result, the entries convey no recognition of ongoing emergency ons.

### ergency Framework and Mischaracterization of Response

gistrate states that no special circumstances support a militant response. This conclusion racterizes the governing emergency framework. The system is engineered for speed, y, and escalation once emergency conditions arise. Expedience is a statutory ment. Accuracy is a structural mandate. Every action moves toward the fastest lawful mitigation. Nothing in this process signals aggression. The appearance of intensity s from design rather than posture.

te emergency record shows a complete exhaustion of the Texas emergency management ce. Communication reached the County Judge through the State chain. Action never d. The State record confirms an unresolved emergency, an inactive executive authority, talled response at the county level. Under this condition, federal assistance becomes the able enforcement channel.

ited States Marshals Service stands as the sole mechanism capable of effecting service. unty Judge maintains no office at the statutory county seat. No physical location exists very of process. A post office box serves as the only published address. Any service through routine procedures ends without contact. A federal officer must locate the Judge through direct search.

trict court entries contain no reference to the State emergency record, the exhaustion of e chain, the absence of an office for service, the requirements of emergency protocol, or sequences that arise when local authority remains silent during an active emergency. ord from the district court contains no acknowledgment of the system that governs this This filing supplies that operational structure.

## VO EMERGENCY CONDITIONS ARISING FROM A SINGLE STATE RECORD

te emergency record supports two distinct emergency conditions. One concerns an nt structural hazard requiring physical mitigation. One concerns institutional failure ng courthouse operation, venue integrity, absence of security, and exposure of historic records. Each condition carries separate legal duties and proceeds along a different e. Each draws authority from the same State record.

trict court entries address neither condition. No entry evaluates the structural risk. No ddresses courthouse security, venue status, executive presence, or record protection. The mergency record governs both conditions, and action directed at one condition rily affects the other through their shared factual base. The district court acted without ord in view.

erlap bears directly on the petition. The absence of the State emergency record from the court analysis resulted in procedural entries that fail to account for the full scope of the ncy.

## BSENCE OF AN ESSENTIAL ORDER UNDER RULE 21

al Rule of Appellate Procedure 21(a)(2)(C) contemplates production of an order or essential to understanding the matter presented. In this proceeding, no such order The district court issued procedural entries that neither resolve the emergency conditions ress the governing State emergency record. No entry evaluates feasibility of service, no pplies the standards for emergent relief, and no entry adjudicates the merits of the issues

ocket in 2:25-cv-01094 contains no ruling capable of appellate review. The available address routine process while leaving the operative facts untouched. As a result, the ent requested by the Clerk cannot be supplied because the district court did not generate antive order that performs the function required under Rule 21. This filing provides the ation required in the absence of such an order.

## XHIBITS PROVIDED

hibits submitted with this cure reflect the full extent of the available district court record. d are the procedural entries entered in 2:25-cv-01094, consisting of the order requesting f service and the order declining assistance through the United States Marshals Service. ntries represent the only written actions taken by the district court concerning the raised in the petition.

cluded is the affidavit addressing venue conditions, courthouse status, absence of a office at the county seat, and the structure of service under emergency conditions. The mergency record referenced in this filing provides context for the procedural posture and s the factual assertions described. No additional order or opinion exists for inclusion.

## RE DECLARATION

bmission satisfies the Clerk's request under Federal Rule of Appellate Procedure 21(a) The attached materials reflect the district court record as it exists. The procedural entries d represent the full set of written actions taken concerning the matters raised in the . The affidavit and referenced State emergency record supply the operational context ng service, venue, courthouse conditions, and emergency protocol. This filing explains ence of a substantive district court ruling and completes the cure.

tfully submitted,

ner appears pro se in this matter.

ing reflects the record as presented and the emergency conditions addressed herein.

ner

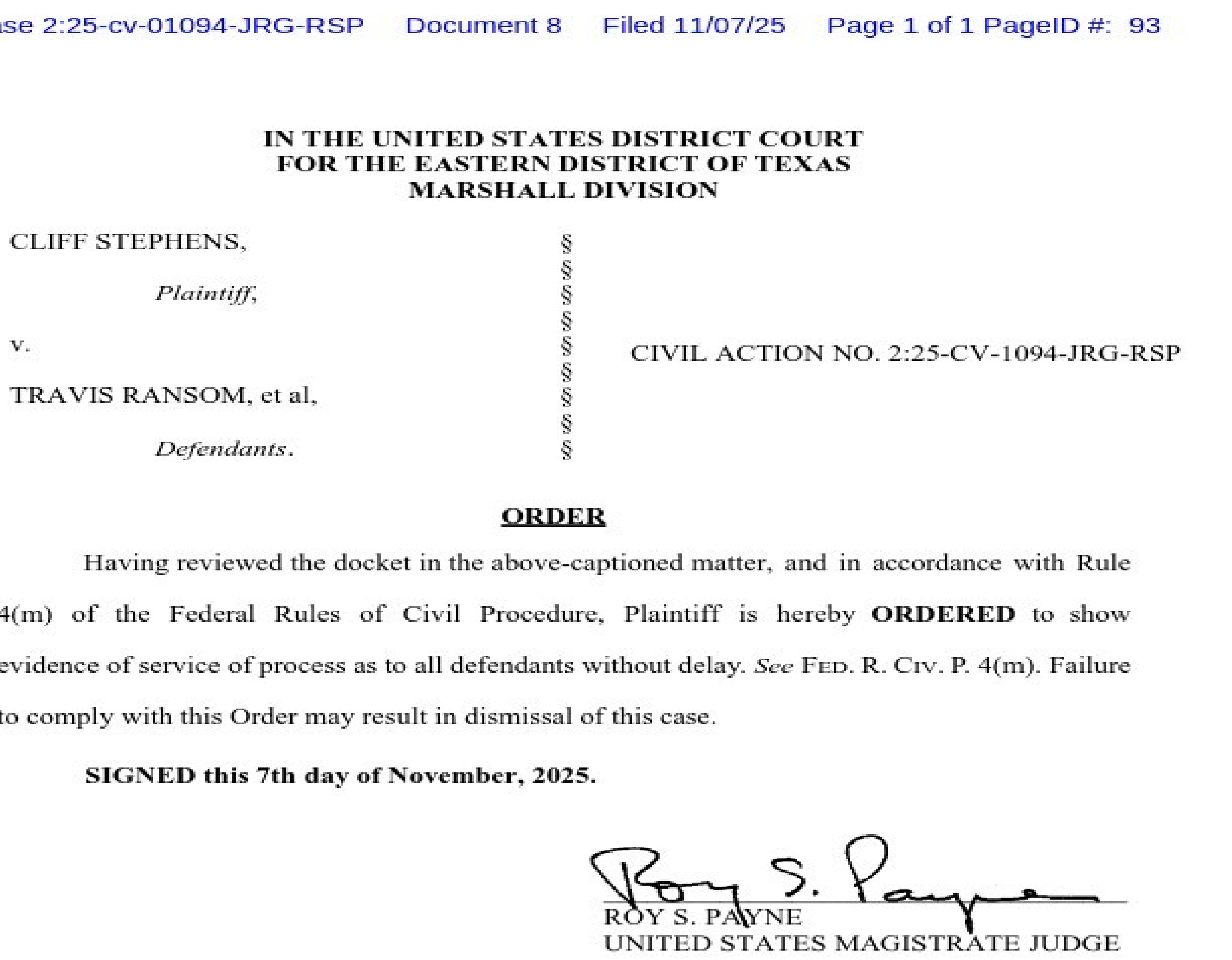
s on file

n file

one on file

ecember 11th 2025

BIT A District Court Order dated [11/07/2025]



**IN THE UNITED STATES DISTRICT COURT**
**FOR THE EASTERN DISTRICT OF TEXAS**
**MARSHALL DIVISION**

CLIFF STEPHENS, §
§
*Plaintiff*, §
§
v. § CIVIL ACTION NO. 2:25-CV-1094-JRG-RSP
§
TRAVIS RANSOM, et al, §
§
*Defendants*. §

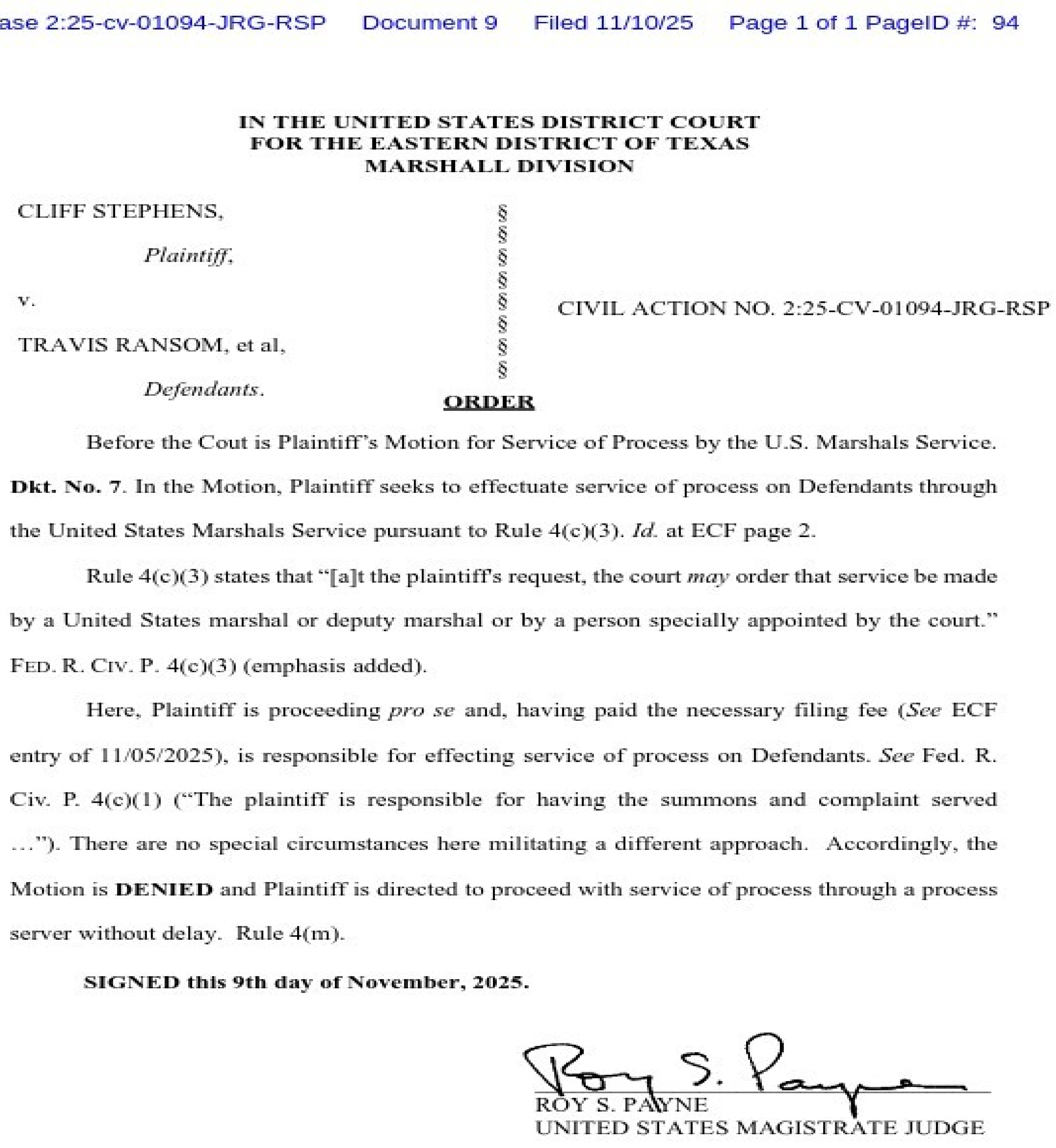
## ORDER

Having reviewed the docket in the above-captioned matter, and in accordance with Rule 4(m) of the Federal Rules of Civil Procedure, Plaintiff is hereby **ORDERED** to show evidence of service of process as to all defendants without delay. *See* FED. R. CIV. P. 4(m). Failure to comply with this Order may result in dismissal of this case.

**SIGNED this 7th day of November, 2025.**

Roy S. Payne
ROY S. PAYNE
UNITED STATES MAGISTRATE JUDGE

BIT B District Court Order dated [11/10/2025]



IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

CLIFF STEPHENS, §
*Plaintiff*, §
§
v. § CIVIL ACTION NO. 2:25-CV-01094-JRG-RSP
§
TRAVIS RANSOM, et al, §
*Defendants*. §

## ORDER

Before the Cout is Plaintiff's Motion for Service of Process by the U.S. Marshals Service. **Dkt. No. 7**. In the Motion, Plaintiff seeks to effectuate service of process on Defendants through the United States Marshals Service pursuant to Rule 4(c)(3). *Id.* at ECF page 2.

Rule 4(c)(3) states that "[a]t the plaintiff's request, the court *may* order that service be made by a United States marshal or deputy marshal or by a person specially appointed by the court." FED. R. CIV. P. 4(c)(3) (emphasis added).

Here, Plaintiff is proceeding *pro se* and, having paid the necessary filing fee (*See* ECF entry of 11/05/2025), is responsible for effecting service of process on Defendants. *See* Fed. R. Civ. P. 4(c)(1) ("The plaintiff is responsible for having the summons and complaint served …"). There are no special circumstances here militating a different approach. Accordingly, the Motion is **DENIED** and Plaintiff is directed to proceed with service of process through a process server without delay. Rule 4(m).

**SIGNED this 9th day of November, 2025.**

Roy S. Payne
ROY S. PAYNE
UNITED STATES MAGISTRATE JUDGE

No.________

# In The United States Court Of Appeals

# For The Fifth Circuit

**In RE: CLIFF STEPHENS, Petitioner**

Affidavit in Support of Petition for Writ of Mandamus

lly submitted,

hens
ty Road 1456
x 75563
xso.life
0685
, 7th 2025

**(Image – Cass County Courthouse, Illustration)**

## RECORD OF VENUE FAILURE IN CASS COUNTY

2008–2025

---

### GAL KERNEL

Texas Constitution establishes the exclusive method for relocating a county seat:

county seat shall be removed except by a vote of the electors of the county.”

. Const. art. IX, § 1.

Texas Supreme Court confirms that this constitutional method is the only lawful method:

county seat cannot be removed except in the manner provided by the Constitution.”

ng v. State, 81 S.W.2d 908, 909 (Tex. 1935).

Court further holds that lawful relocation requires both a valid election and the official umentation necessary to verify compliance with constitutional requirements.

Executive Branch enforces the same structural rule. Governmental actions taken without stitutional or statutory authority are ultra vires and legally void:

vernmental acts performed without statutory authorization are ultra vires and unenforceable.”

. Att’y Gen. Op. JM-968 (1988).

---

**STEPHENS v. CASS COUNTY**

Cause No. D-1-GN-25-002397

In the 353rd Judicial District Court

Travis County, Texas

**Related Federal Proceedings:**

CASE NO. 2:25-CV-01087-JRG-RSP

(E.D. Tex.)

Civil Action No. 2:25-cv-01094

(E.D. Tex.)

## POSE OF THIS DOCUMENT

locument assembles a chronological record reflecting how Cass County’s operational practices oped between 2008 and 2025 regarding the courthouse at 100 East Houston Street and the County Justice Center. Its purpose is to present a consolidated reference drawn from publicly ble materials, county minutes, filings, digital postings, and other items appearing in the state ounty record. This compilation is intended to assist reviewing courts in understanding the nce of events relevant to the present status of county operations.

## JRE OF THE MATERIAL PRESENTED

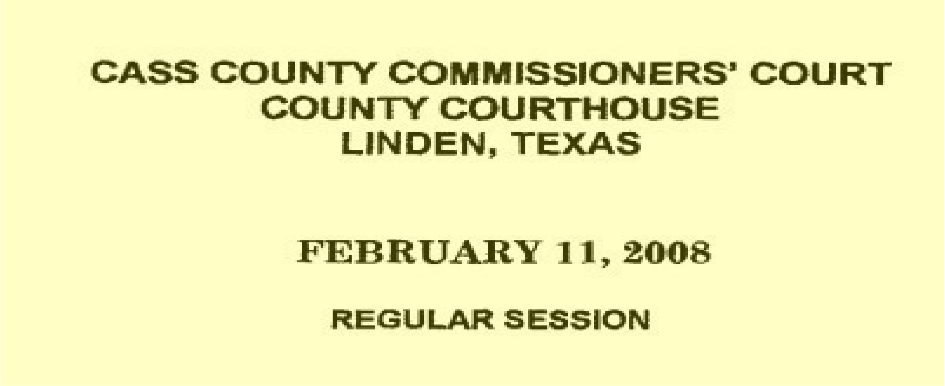
tries in this document are drawn from filed public records, certified minutes, county-issued cations, or documents appearing in state or federal court filings. No independent investigation tual assertion outside the record is made. This compilation expresses no conclusion regarding gality or effect of any county action, and it takes no position on the validity of any decision by county officials. Its purpose is limited to presenting the historical materials in an organized t so that the sequence of events may be reviewed without requiring the reader to locate the lying documents individually.

## TED SCOPE

ecord does not attempt to resolve any legal question, determine rights, interpret statutes, or responsibility. It is not submitted as evidence of wrongdoing and should not be treated as acy. It is a descriptive summary derived entirely from the materials already present in the l. Any quotations are verbatim from their original sources. Where county documents contain nents of intent or purpose, those statements are reproduced solely to reflect how county rs described their own actions at the time.

## TEXT FOR THE MATERIALS THAT FOLLOW

entries that follow trace the period beginning with the courthouse renovation in 2008 and uing through the reopening in 2012 and the operational patterns that developed in subsequent The documents included reflect the County’s own representations regarding its facilities, the ons at which officers operated, and the absence of record entries indicating a permanent tion of county-seat functions. These materials are presented solely to clarify the historical rop against which current questions concerning location, recordkeeping, and operational situs

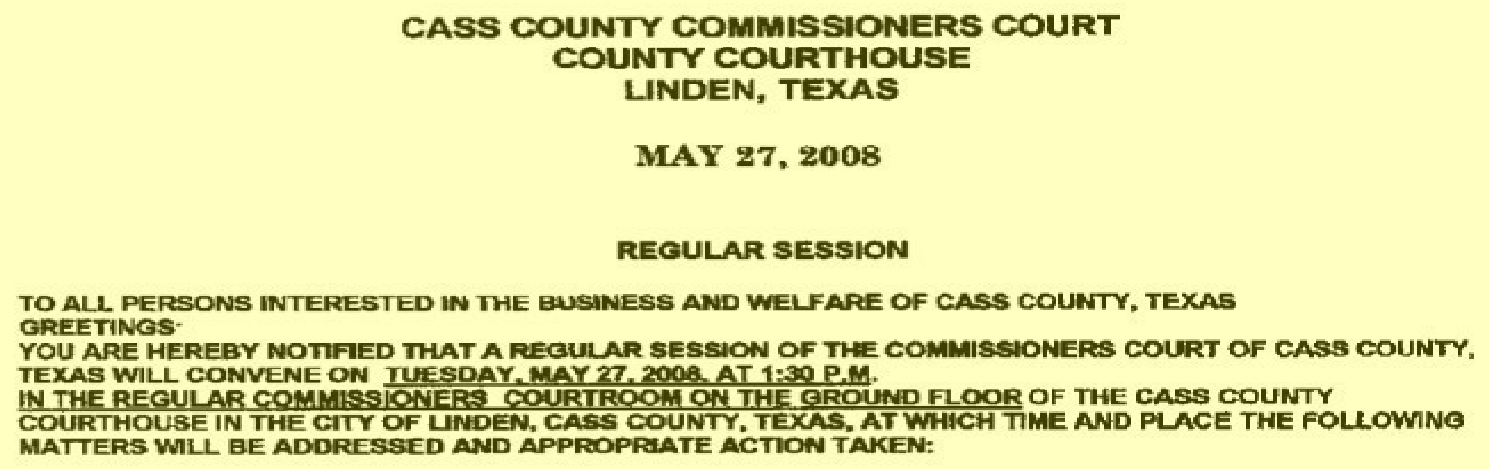


CASS COUNTY COMMISSIONERS' COURT
COUNTY COURTHOUSE
LINDEN, TEXAS

FEBRUARY 11, 2008

REGULAR SESSION

# PART I - The Renovation
# (2008–2012)

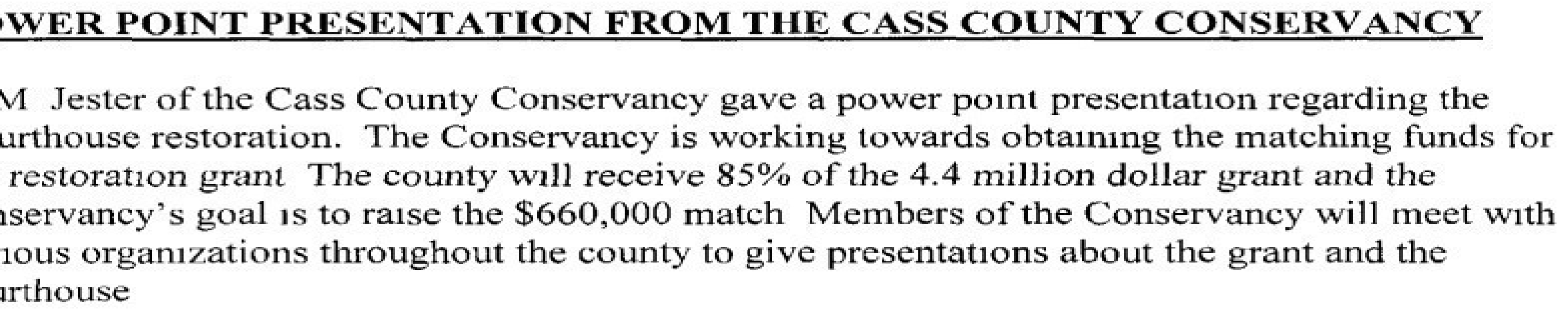


CASS COUNTY COMMISSIONERS COURT
COUNTY COURTHOUSE
LINDEN, TEXAS

MAY 27, 2008

REGULAR SESSION

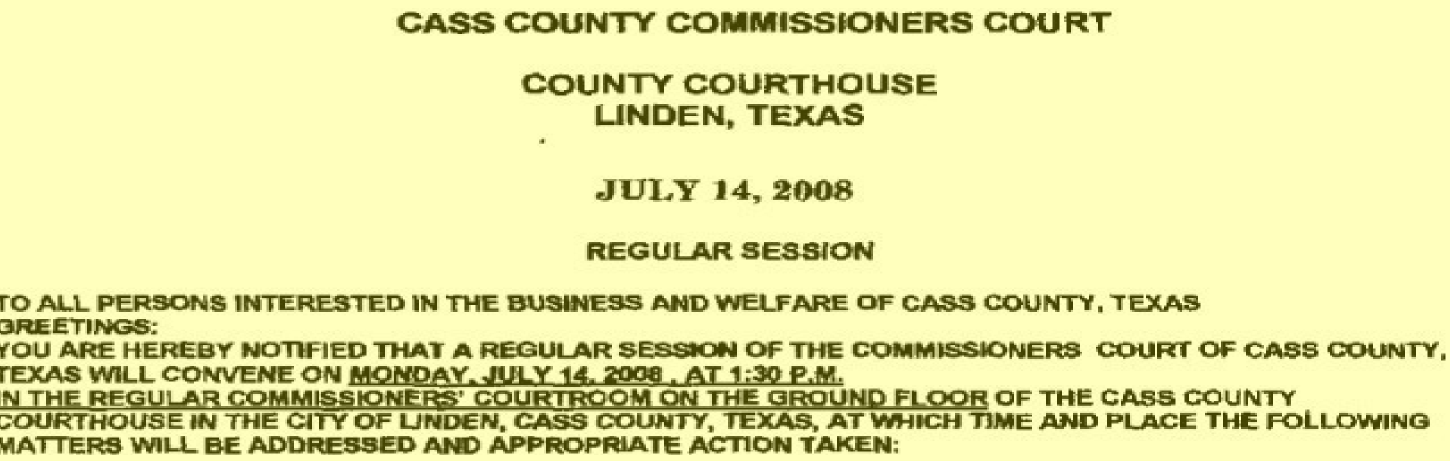
TO ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS
GREETINGS·
YOU ARE HEREBY NOTIFIED THAT A REGULAR SESSION OF THE COMMISSIONERS COURT OF CASS COUNTY, TEXAS WILL CONVENE ON TUESDAY, MAY 27, 2008, AT 1:30 P.M.
IN THE REGULAR COMMISSIONERS COURTROOM ON THE GROUND FLOOR OF THE CASS COUNTY COURTHOUSE IN THE CITY OF LINDEN, CASS COUNTY, TEXAS, AT WHICH TIME AND PLACE THE FOLLOWING MATTERS WILL BE ADDRESSED AND APPROPRIATE ACTION TAKEN:



WER POINT PRESENTATION FROM THE CASS COUNTY CONSERVANCY

M Jester of the Cass County Conservancy gave a power point presentation regarding the urthouse restoration. The Conservancy is working towards obtaining the matching funds for restoration grant The county will receive 85% of the 4.4 million dollar grant and the nservancy's goal is to raise the $660,000 match Members of the Conservancy will meet with ious organizations throughout the county to give presentations about the grant and the urthouse

county first placed the restoration in its record during a regular n in May of two thousand eight. The Conservancy reported a grant enough to begin real work once the county met its share. From that he restoration moved from idea to duty.



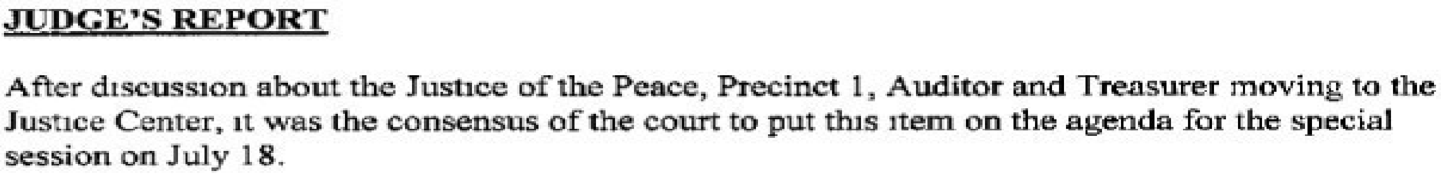
CASS COUNTY COMMISSIONERS COURT

COUNTY COURTHOUSE
LINDEN, TEXAS

JULY 14, 2008

REGULAR SESSION

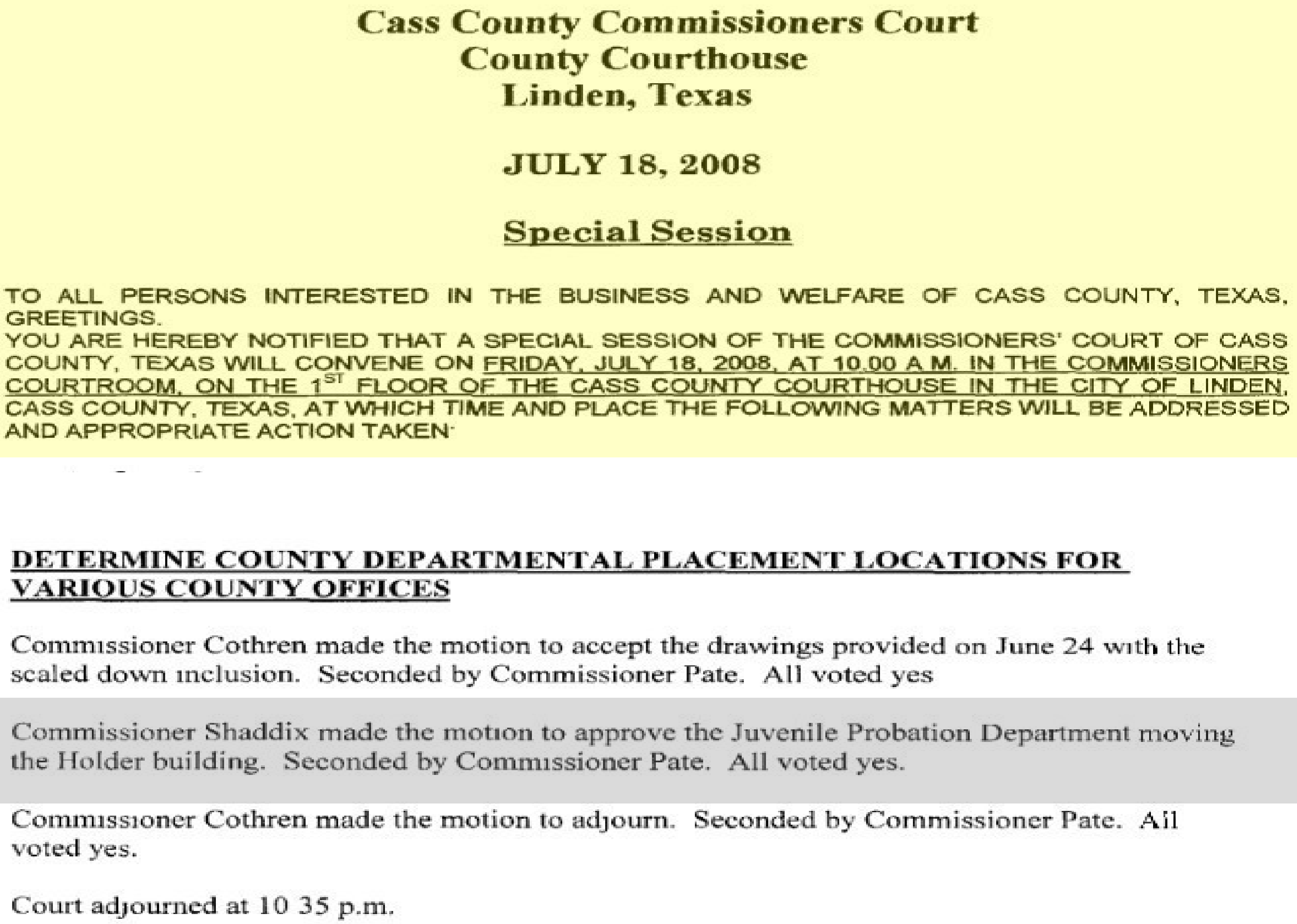
TO ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS
GREETINGS:
YOU ARE HEREBY NOTIFIED THAT A REGULAR SESSION OF THE COMMISSIONERS COURT OF CASS COUNTY, TEXAS WILL CONVENE ON MONDAY, JULY 14, 2008 , AT 1:30 P.M. IN THE REGULAR COMMISSIONERS' COURTROOM ON THE GROUND FLOOR OF THE CASS COUNTY COURTHOUSE IN THE CITY OF LINDEN, CASS COUNTY, TEXAS, AT WHICH TIME AND PLACE THE FOLLOWING MATTERS WILL BE ADDRESSED AND APPROPRIATE ACTION TAKEN:



**JUDGE'S REPORT**

After discussion about the Justice of the Peace, Precinct 1, Auditor and Treasurer moving to the Justice Center, it was the consensus of the court to put this item on the agenda for the special session on July 18.

First Officers Begin Moving Before Any Restoration Work Begins



# Cass County Commissioners Court
County Courthouse
Linden, Texas

JULY 18, 2008

**Special Session**

TO ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS, GREETINGS.
YOU ARE HEREBY NOTIFIED THAT A SPECIAL SESSION OF THE COMMISSIONERS' COURT OF CASS COUNTY, TEXAS WILL CONVENE ON FRIDAY, JULY 18, 2008, AT 10.00 A.M. IN THE COMMISSIONERS COURTROOM, ON THE 1ST FLOOR OF THE CASS COUNTY COURTHOUSE IN THE CITY OF LINDEN, CASS COUNTY, TEXAS, AT WHICH TIME AND PLACE THE FOLLOWING MATTERS WILL BE ADDRESSED AND APPROPRIATE ACTION TAKEN:

**DETERMINE COUNTY DEPARTMENTAL PLACEMENT LOCATIONS FOR VARIOUS COUNTY OFFICES**

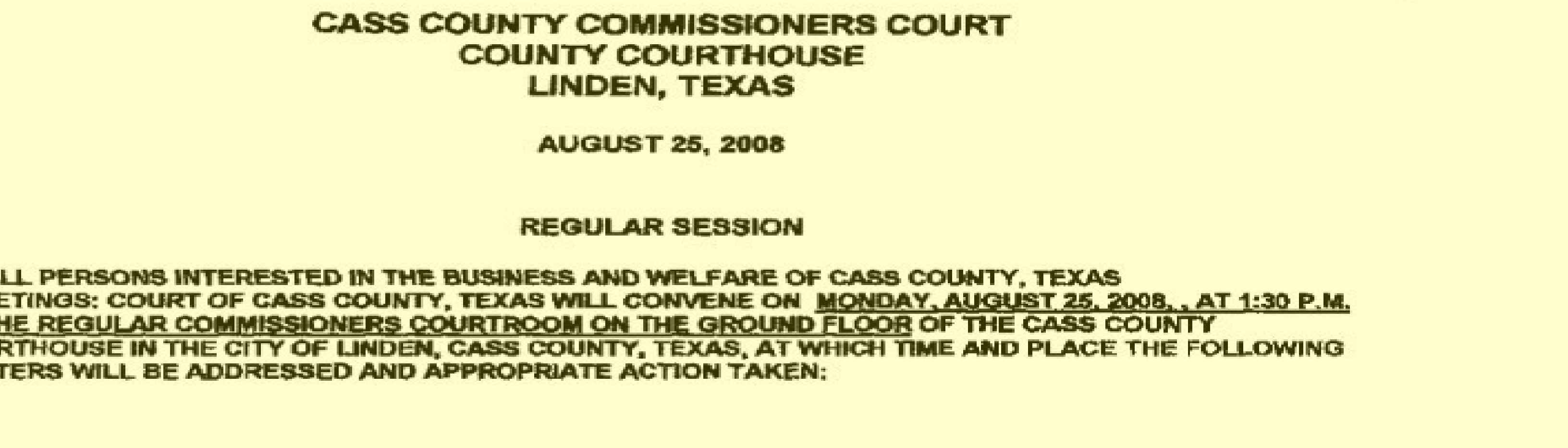
Commissioner Cothren made the motion to accept the drawings provided on June 24 with the scaled down inclusion. Seconded by Commissioner Pate. All voted yes

Commissioner Shaddix made the motion to approve the Juvenile Probation Department moving the Holder building. Seconded by Commissioner Pate. All voted yes.

Commissioner Cothren made the motion to adjourn. Seconded by Commissioner Pate. All voted yes.

Court adjourned at 10 35 p.m.

ourt Directs Multiple Offices to New Locations Before Renovation Begins

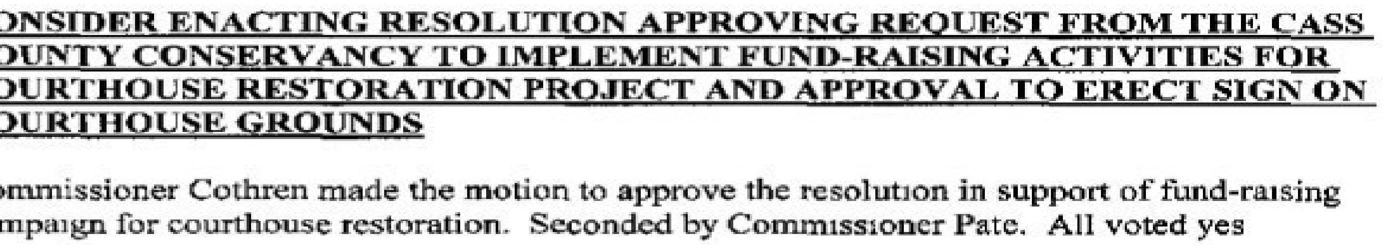


CASS COUNTY COMMISSIONERS COURT
COUNTY COURTHOUSE
LINDEN, TEXAS

AUGUST 25, 2008

REGULAR SESSION

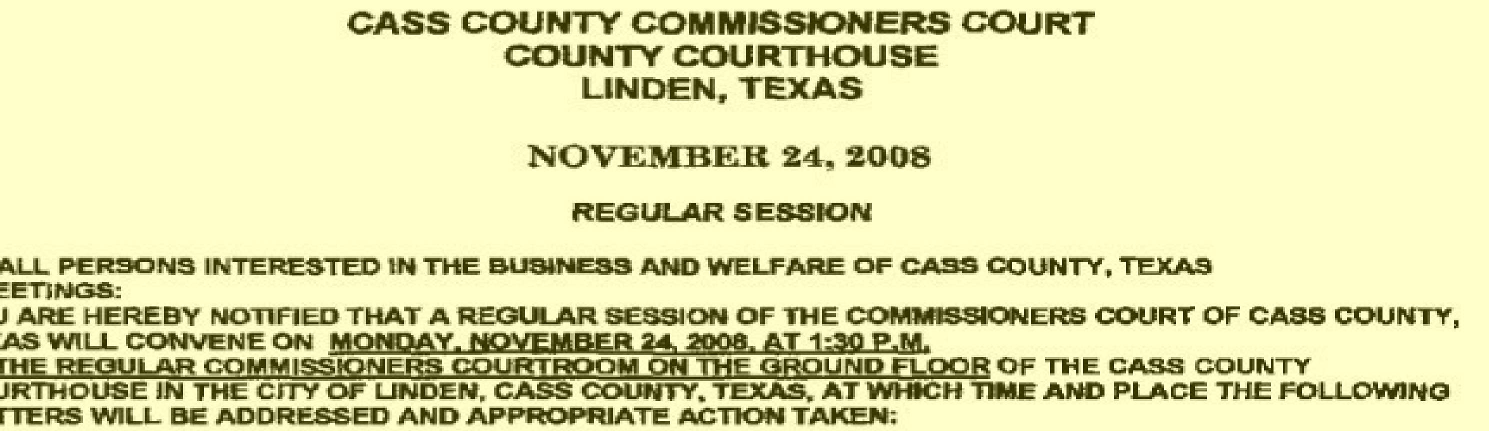
LL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS
ETINGS: COURT OF CASS COUNTY, TEXAS WILL CONVENE ON MONDAY, AUGUST 25, 2008, , AT 1:30 P.M.
HE REGULAR COMMISSIONERS COURTROOM ON THE GROUND FLOOR OF THE CASS COUNTY
RTHOUSE IN THE CITY OF LINDEN, CASS COUNTY, TEXAS, AT WHICH TIME AND PLACE THE FOLLOWING
TERS WILL BE ADDRESSED AND APPROPRIATE ACTION TAKEN:



ONSIDER ENACTING RESOLUTION APPROVING REQUEST FROM THE CASS
OUNTY CONSERVANCY TO IMPLEMENT FUND-RAISING ACTIVITIES FOR
OURTHOUSE RESTORATION PROJECT AND APPROVAL TO ERECT SIGN ON
OURTHOUSE GROUNDS

ommissioner Cothren made the motion to approve the resolution in support of fund-raising
mpaign for courthouse restoration. Seconded by Commissioner Pate. All voted yes

Court Endorses Public Fundraising as the Restoration Gains Momentum

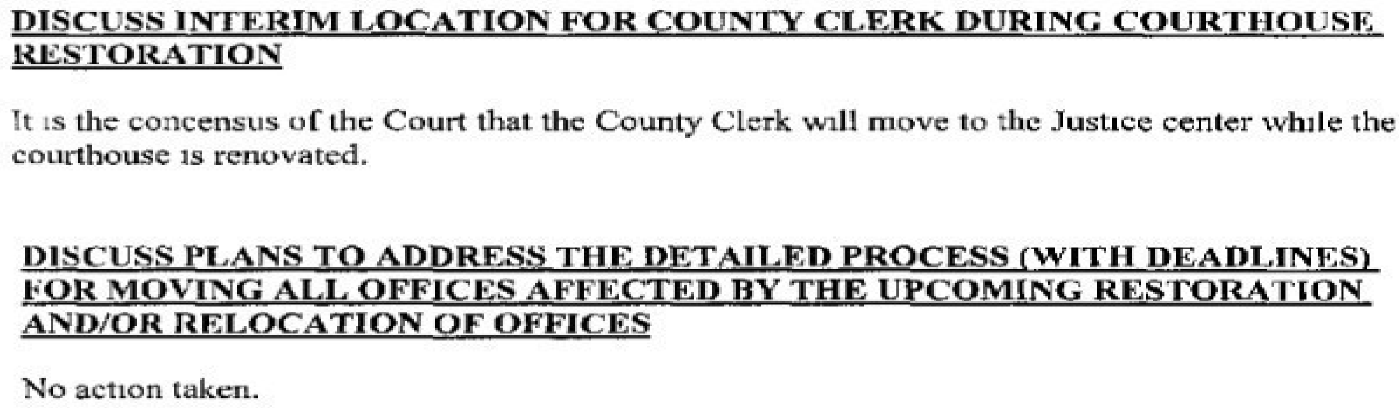


CASS COUNTY COMMISSIONERS COURT
COUNTY COURTHOUSE
LINDEN, TEXAS

NOVEMBER 24, 2008

REGULAR SESSION

ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS
EETINGS:
U ARE HEREBY NOTIFIED THAT A REGULAR SESSION OF THE COMMISSIONERS COURT OF CASS COUNTY,
AS WILL CONVENE ON MONDAY, NOVEMBER 24, 2008, AT 1:30 P.M.
THE REGULAR COMMISSIONERS COURTROOM ON THE GROUND FLOOR OF THE CASS COUNTY
URTHOUSE IN THE CITY OF LINDEN, CASS COUNTY, TEXAS, AT WHICH TIME AND PLACE THE FOLLOWING
TTERS WILL BE ADDRESSED AND APPROPRIATE ACTION TAKEN:



**DISCUSS INTERIM LOCATION FOR COUNTY CLERK DURING COURTHOUSE RESTORATION**

It is the concensus of the Court that the County Clerk will move to the Justice center while the courthouse is renovated.

**DISCUSS PLANS TO ADDRESS THE DETAILED PROCESS (WITH DEADLINES) FOR MOVING ALL OFFICES AFFECTED BY THE UPCOMING RESTORATION AND/OR RELOCATION OF OFFICES**

No action taken.

County Begins Moving Constitutional Offices

## CASS COUNTY COMMISSIONERS COURT
## COUNTY COURTHOUSE
## LINDEN, TEXAS

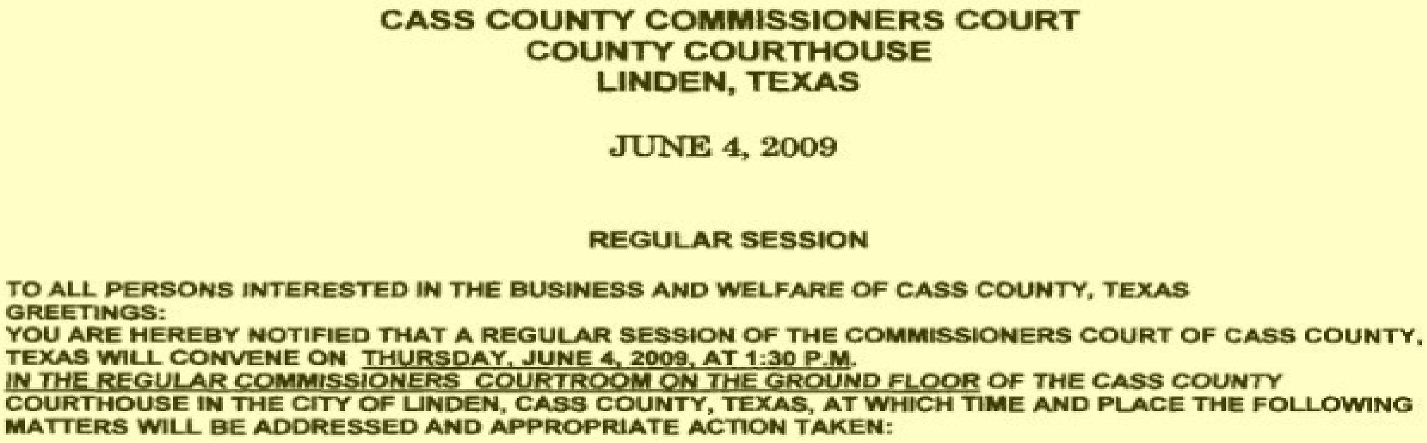
## JANUARY 26, 2009

## REGULAR SESSION

D ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS
REETINGS:
OU ARE HEREBY NOTIFIED THAT A REGULAR SESSION OF THE COMMISSIONERS COURT OF CASS COUNTY,
EXAS WILL CONVENE ON MONDAY, JANUARY 26, 2009, AT 1:30 P.M.
N THE REGULAR COMMISSIONERS COURTROOM ON THE GROUND FLOOR OF THE CASS COUNTY
OURTHOUSE IN THE CITY OF LINDEN, CASS COUNTY, TEXAS, AT WHICH TIME AND PLACE THE FOLLOWING
ATTERS WILL BE ADDRESSED AND APPROPRIATE ACTION TAKEN:

### DGE'S REPORT

ge McMichael stated he would appreciate any input regarding the move. He will need a list
n each department as to what will need to be moved.

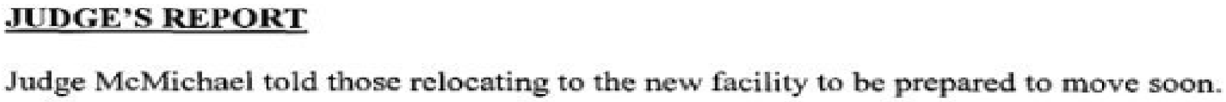


CASS COUNTY COMMISSIONERS COURT
COUNTY COURTHOUSE
LINDEN, TEXAS

JUNE 4, 2009

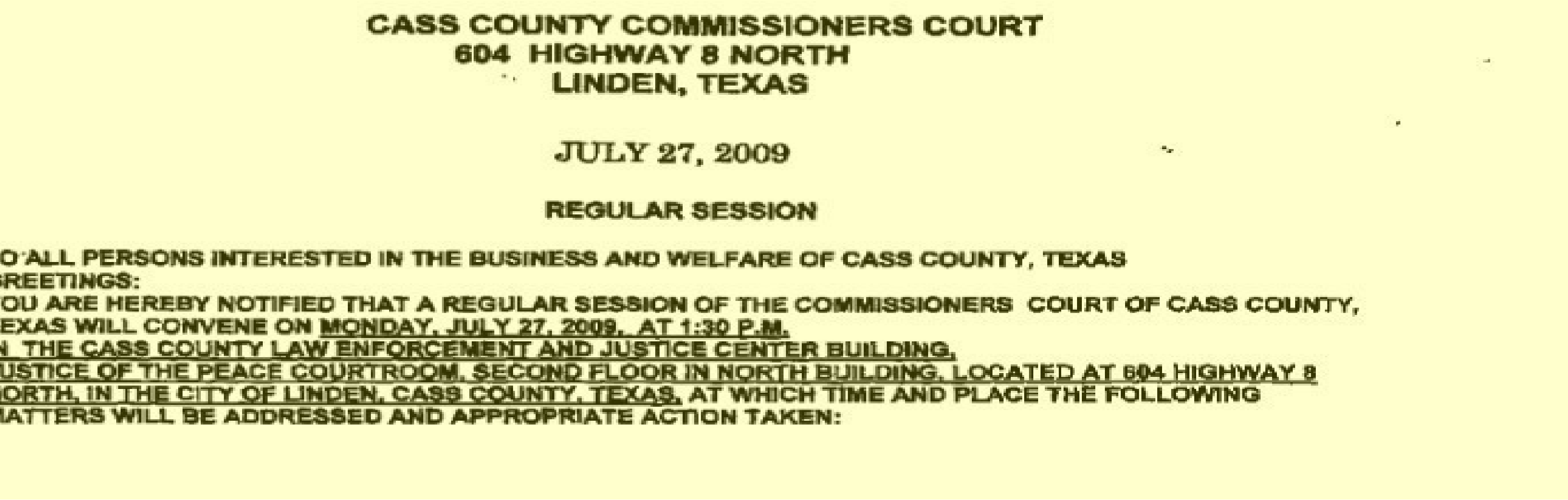
REGULAR SESSION

TO ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS
GREETINGS:
YOU ARE HEREBY NOTIFIED THAT A REGULAR SESSION OF THE COMMISSIONERS COURT OF CASS COUNTY, TEXAS WILL CONVENE ON THURSDAY, JUNE 4, 2009, AT 1:30 P.M.
*IN THE REGULAR COMMISSIONERS COURTROOM ON THE GROUND FLOOR* OF THE CASS COUNTY COURTHOUSE IN THE CITY OF LINDEN, CASS COUNTY, TEXAS, AT WHICH TIME AND PLACE THE FOLLOWING MATTERS WILL BE ADDRESSED AND APPROPRIATE ACTION TAKEN:



**JUDGE'S REPORT**

Judge McMichael told those relocating to the new facility to be prepared to move soon.

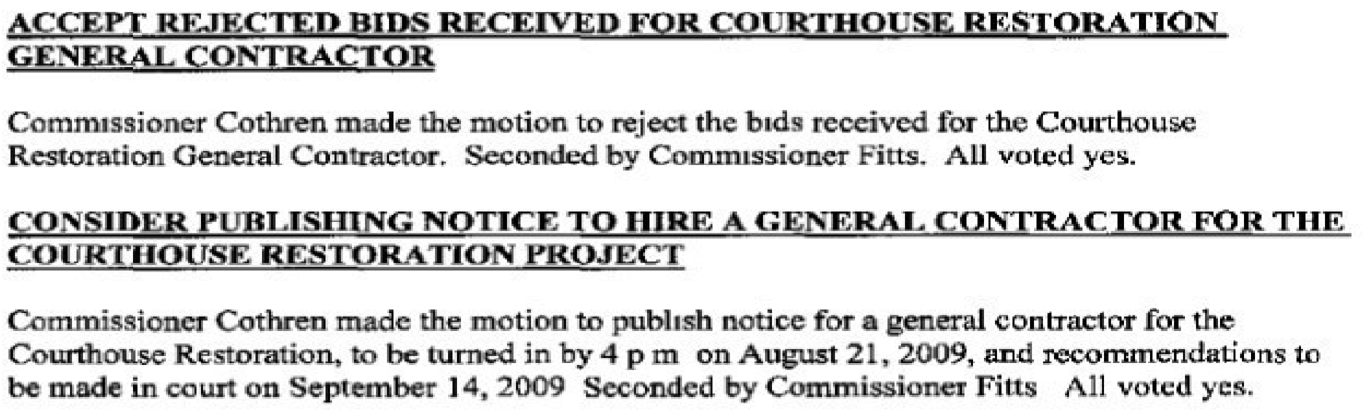


CASS COUNTY COMMISSIONERS COURT
604 HIGHWAY 8 NORTH
LINDEN, TEXAS

JULY 27, 2009

REGULAR SESSION

O ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS
REETINGS:
OU ARE HEREBY NOTIFIED THAT A REGULAR SESSION OF THE COMMISSIONERS COURT OF CASS COUNTY,
EXAS WILL CONVENE ON MONDAY, JULY 27, 2009, AT 1:30 P.M.
N THE CASS COUNTY LAW ENFORCEMENT AND JUSTICE CENTER BUILDING,
USTICE OF THE PEACE COURTROOM, SECOND FLOOR IN NORTH BUILDING, LOCATED AT 604 HIGHWAY 8
ORTH, IN THE CITY OF LINDEN, CASS COUNTY, TEXAS, AT WHICH TIME AND PLACE THE FOLLOWING
ATTERS WILL BE ADDRESSED AND APPROPRIATE ACTION TAKEN:



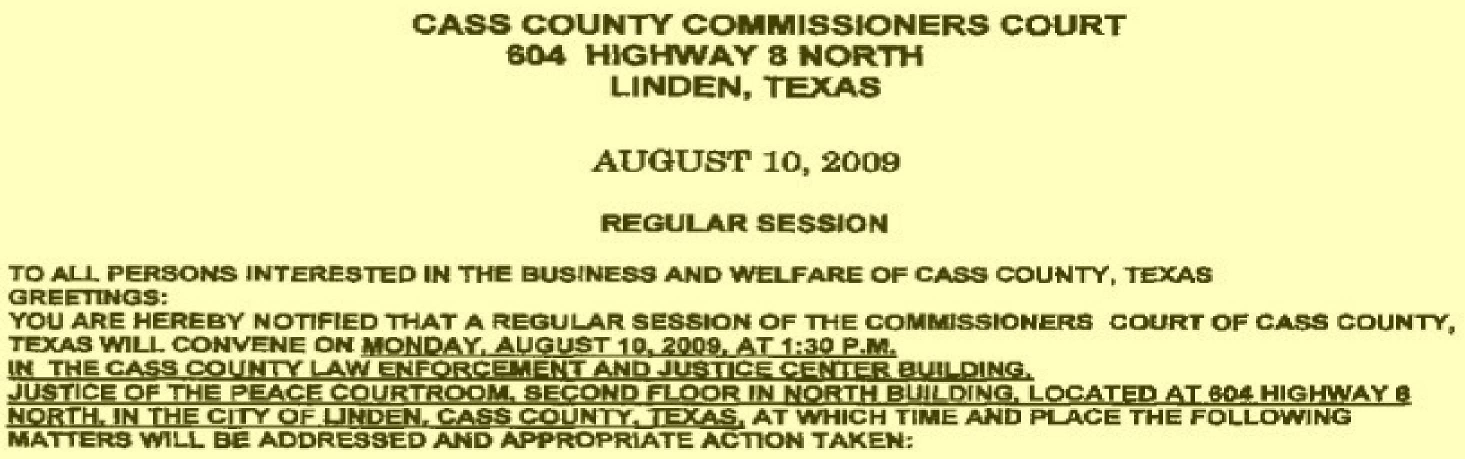
### ACCEPT REJECTED BIDS RECEIVED FOR COURTHOUSE RESTORATION GENERAL CONTRACTOR

Commissioner Cothren made the motion to reject the bids received for the Courthouse Restoration General Contractor. Seconded by Commissioner Fitts. All voted yes.

### CONSIDER PUBLISHING NOTICE TO HIRE A GENERAL CONTRACTOR FOR THE COURTHOUSE RESTORATION PROJECT

Commissioner Cothren made the motion to publish notice for a general contractor for the Courthouse Restoration, to be turned in by 4 p m on August 21, 2009, and recommendations to be made in court on September 14, 2009 Seconded by Commissioner Fitts All voted yes.

ly of two thousand nine the court placed a new address at the top of its record,
ting the first time the temporary location appeared in a regular session notice.

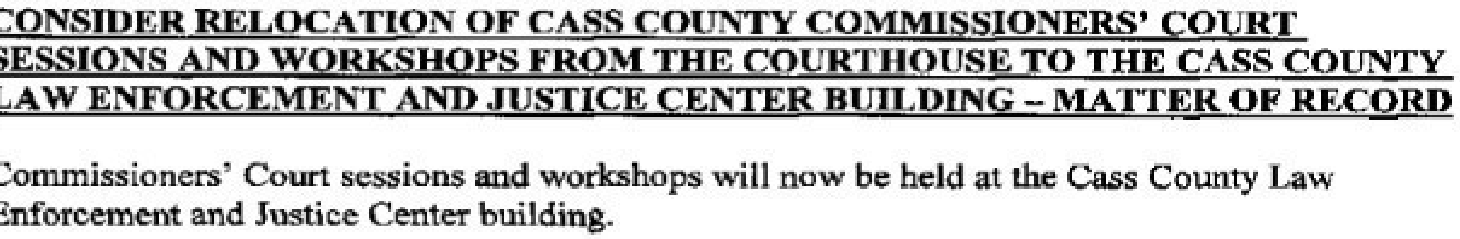


CASS COUNTY COMMISSIONERS COURT
604 HIGHWAY 8 NORTH
LINDEN, TEXAS

AUGUST 10, 2009

REGULAR SESSION

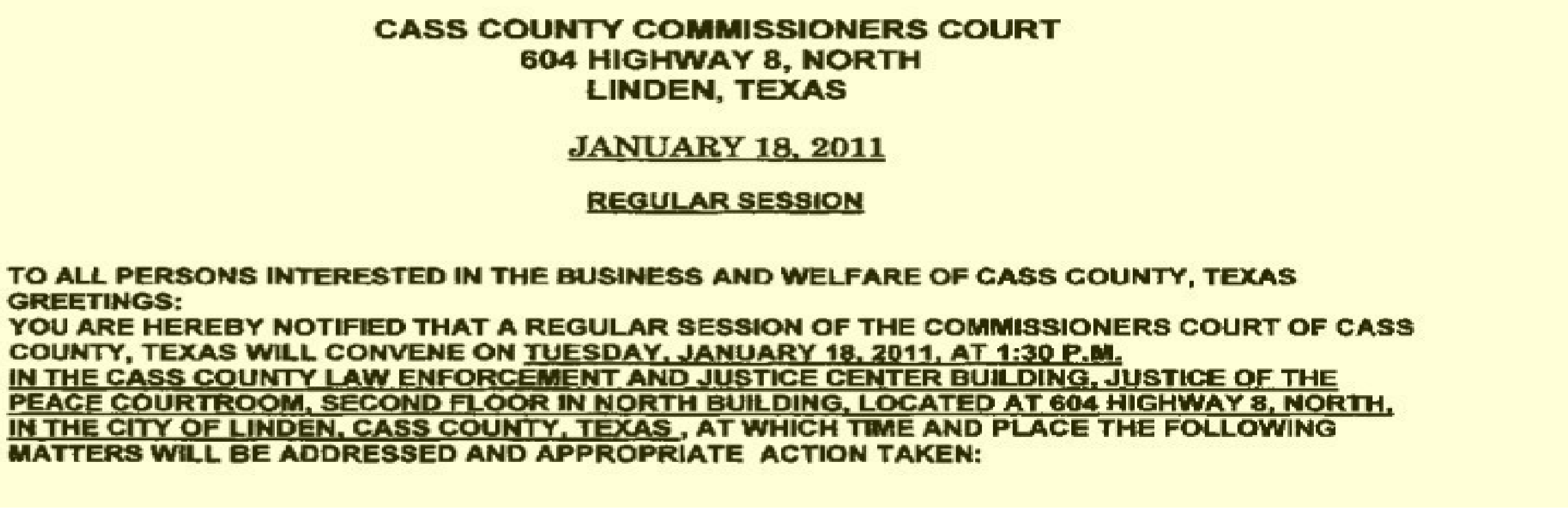
TO ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS
GREETINGS:
YOU ARE HEREBY NOTIFIED THAT A REGULAR SESSION OF THE COMMISSIONERS COURT OF CASS COUNTY, TEXAS WILL CONVENE ON MONDAY, AUGUST 10, 2009, AT 1:30 P.M. IN THE CASS COUNTY LAW ENFORCEMENT AND JUSTICE CENTER BUILDING, JUSTICE OF THE PEACE COURTROOM, SECOND FLOOR IN NORTH BUILDING, LOCATED AT 604 HIGHWAY 8 NORTH, IN THE CITY OF LINDEN, CASS COUNTY, TEXAS, AT WHICH TIME AND PLACE THE FOLLOWING MATTERS WILL BE ADDRESSED AND APPROPRIATE ACTION TAKEN:



**CONSIDER RELOCATION OF CASS COUNTY COMMISSIONERS' COURT SESSIONS AND WORKSHOPS FROM THE COURTHOUSE TO THE CASS COUNTY LAW ENFORCEMENT AND JUSTICE CENTER BUILDING – MATTER OF RECORD**

Commissioners' Court sessions and workshops will now be held at the Cass County Law Enforcement and Justice Center building.

Court Formally Shifts All Sessions to the Justice Center

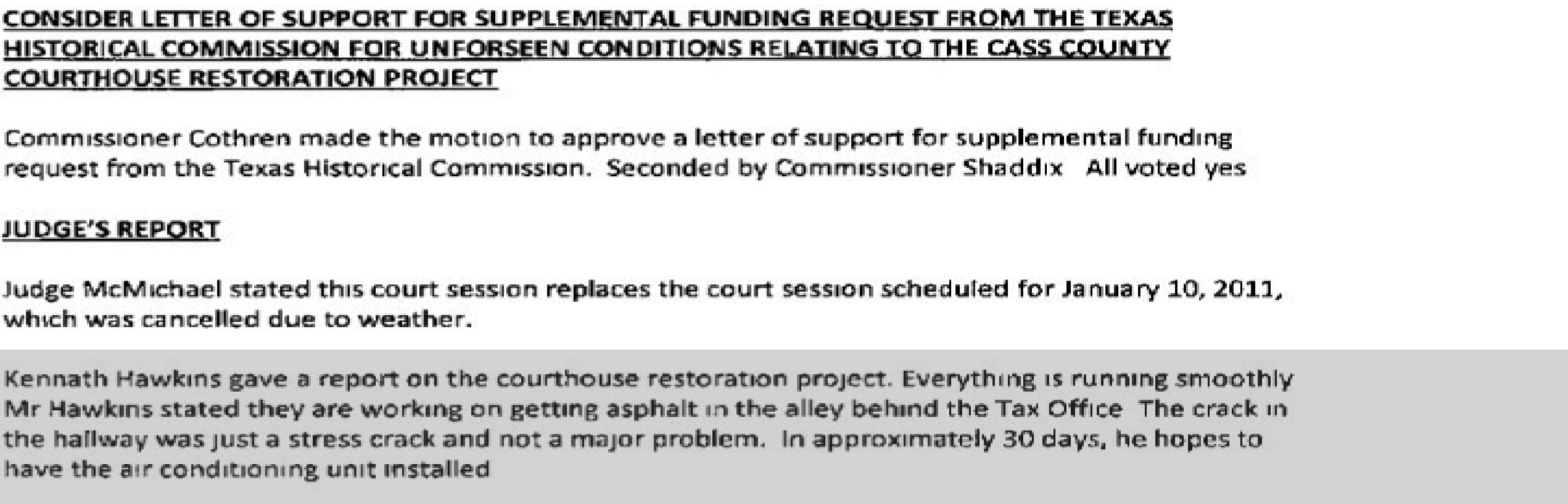


## CASS COUNTY COMMISSIONERS COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

### JANUARY 18, 2011

### REGULAR SESSION

**TO ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS GREETINGS:**
**YOU ARE HEREBY NOTIFIED THAT A REGULAR SESSION OF THE COMMISSIONERS COURT OF CASS COUNTY, TEXAS WILL CONVENE ON TUESDAY, JANUARY 18, 2011, AT 1:30 P.M. IN THE CASS COUNTY LAW ENFORCEMENT AND JUSTICE CENTER BUILDING, JUSTICE OF THE PEACE COURTROOM, SECOND FLOOR IN NORTH BUILDING, LOCATED AT 604 HIGHWAY 8, NORTH, IN THE CITY OF LINDEN, CASS COUNTY, TEXAS , AT WHICH TIME AND PLACE THE FOLLOWING MATTERS WILL BE ADDRESSED AND APPROPRIATE ACTION TAKEN:**



**CONSIDER LETTER OF SUPPORT FOR SUPPLEMENTAL FUNDING REQUEST FROM THE TEXAS HISTORICAL COMMISSION FOR UNFORSEEN CONDITIONS RELATING TO THE CASS COUNTY COURTHOUSE RESTORATION PROJECT**

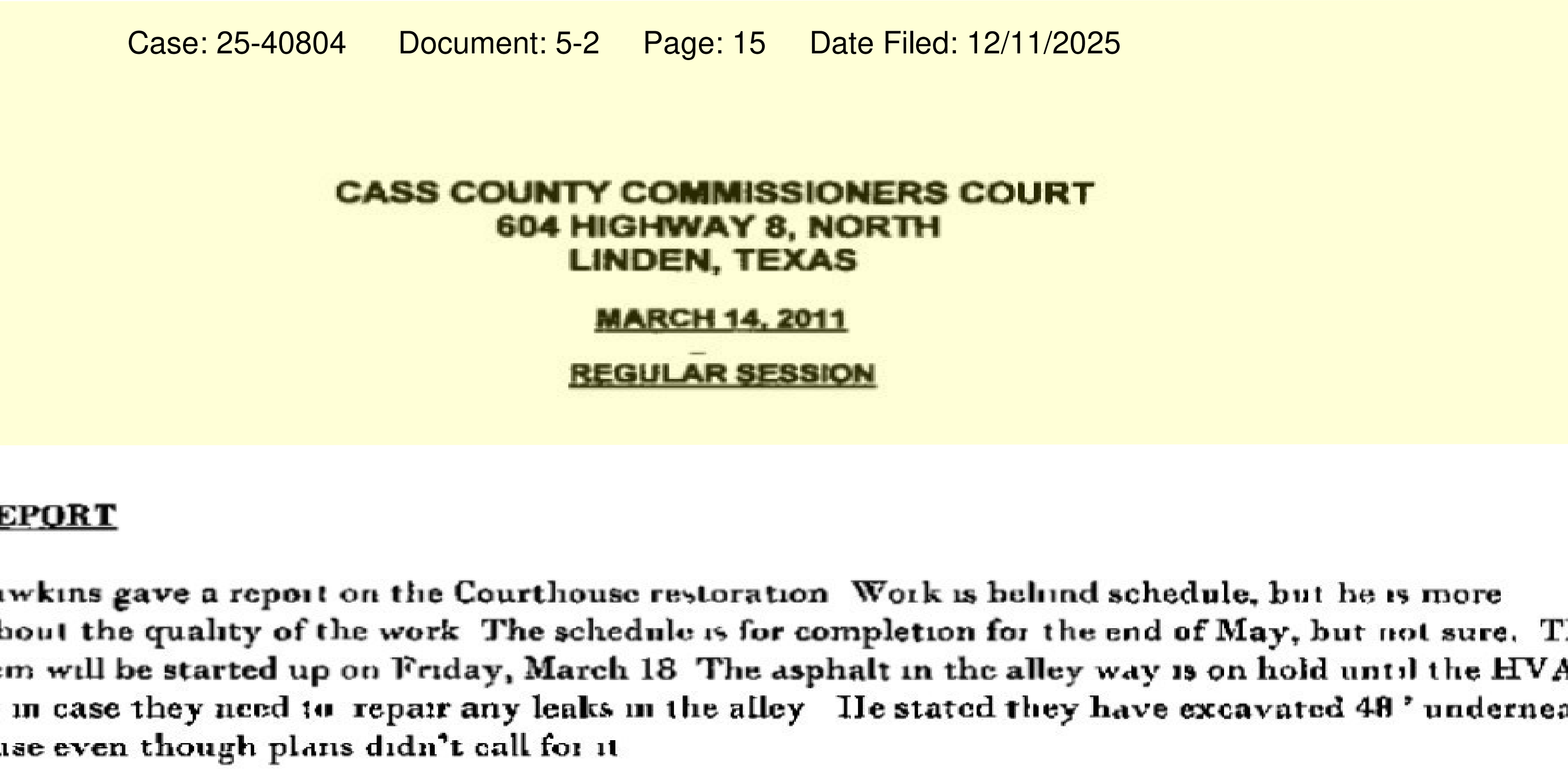
Commissioner Cothren made the motion to approve a letter of support for supplemental funding request from the Texas Historical Commission. Seconded by Commissioner Shaddix All voted yes

**JUDGE'S REPORT**

Judge McMichael stated this court session replaces the court session scheduled for January 10, 2011, which was cancelled due to weather.

Kennath Hawkins gave a report on the courthouse restoration project. Everything is running smoothly Mr Hawkins stated they are working on getting asphalt in the alley behind the Tax Office The crack in the hallway was just a stress crack and not a major problem. In approximately 30 days, he hopes to have the air conditioning unit installed

This entry documents the period when the Courthouse Restoration was underway and the Commissioners Court received regular status updates from the Historic Commission's project manager, Ken Hawkins.



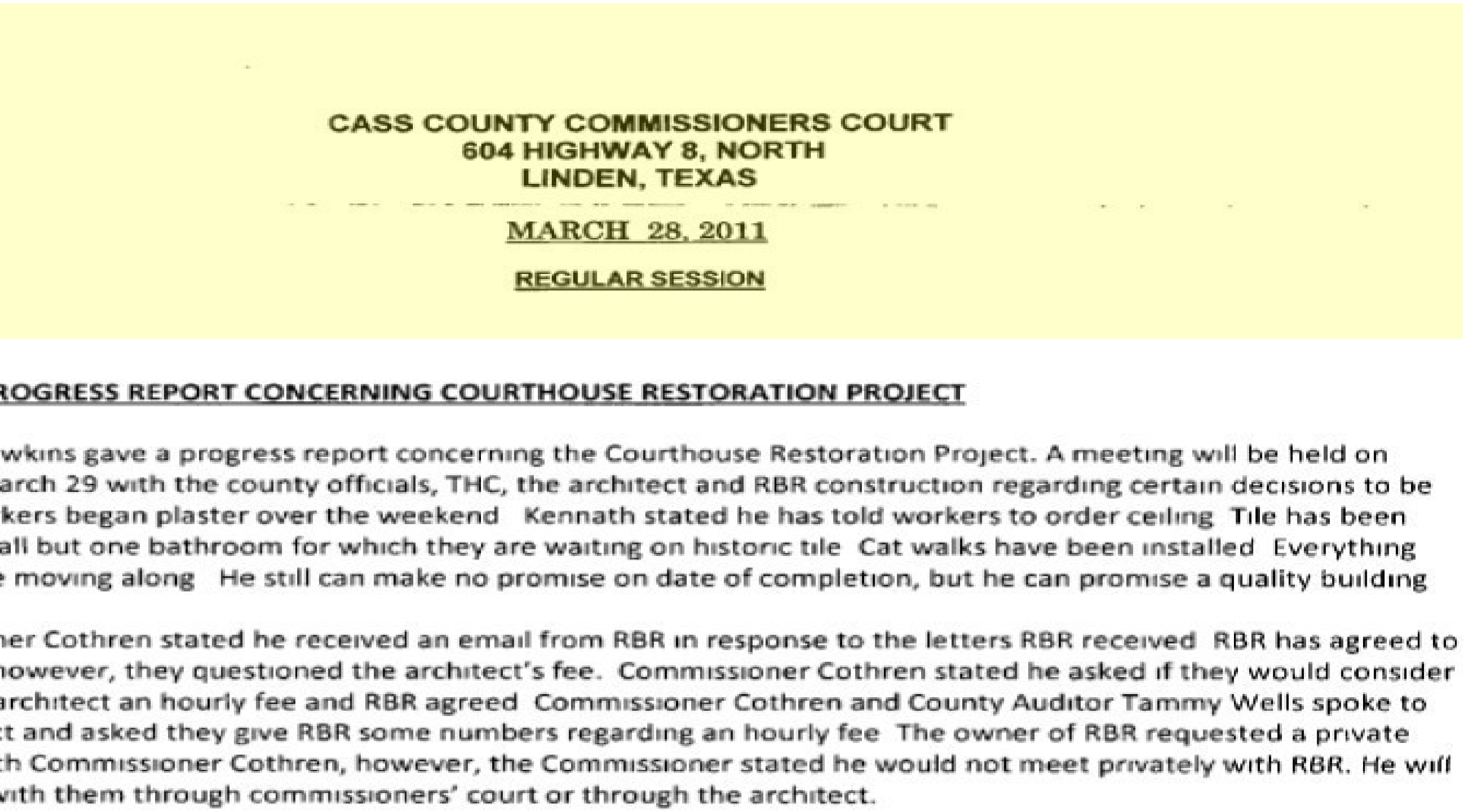
CASS COUNTY COMMISSIONERS COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

MARCH 14, 2011

REGULAR SESSION

**EPORT**

wkins gave a report on the Courthouse restoration  Work is behind schedule, but he is more
bout the quality of the work  The schedule is for completion for the end of May, but not sure.  T
em will be started up on Friday, March 18  The asphalt in the alley way is on hold until the HVA
in case they need to repair any leaks in the alley   He stated they have excavated 48 ' underne
se even though plans didn't call for it



CASS COUNTY COMMISSIONERS COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

MARCH 28, 2011

REGULAR SESSION

**ROGRESS REPORT CONCERNING COURTHOUSE RESTORATION PROJECT**

wkins gave a progress report concerning the Courthouse Restoration Project. A meeting will be held on
arch 29 with the county officials, THC, the architect and RBR construction regarding certain decisions to be
kers began plaster over the weekend   Kennath stated he has told workers to order ceiling  Tile has been
all but one bathroom for which they are waiting on historic tile  Cat walks have been installed  Everything
moving along   He still can make no promise on date of completion, but he can promise a quality building

ner Cothren stated he received an email from RBR in response to the letters RBR received  RBR has agreed to
however, they questioned the architect's fee.  Commissioner Cothren stated he asked if they would consider
architect an hourly fee and RBR agreed  Commissioner Cothren and County Auditor Tammy Wells spoke to
t and asked they give RBR some numbers regarding an hourly fee  The owner of RBR requested a private
h Commissioner Cothren, however, the Commissioner stated he would not meet privately with RBR. He will
with them through commissioners' court or through the architect.

## CASS COUNTY COMMISSIONERS COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

APRIL 11, 2011

REGULAR SESSION

REPORT

Hawkins gave a report on the progress of the courthouse restoration project RBR has
ented some of the contractors The plumber and plasterer are behind so other companies
ought out to work on their contracts. He hopes to start digging by April 13 for the water
and French drains on the east side. On April 25, the water proofers are scheduled to begin
rk In two weeks he hopes to begin putting on the exterior sealant Hopefully within the nex
ys the outside will begin to wrap up and some of the fencing can come down.

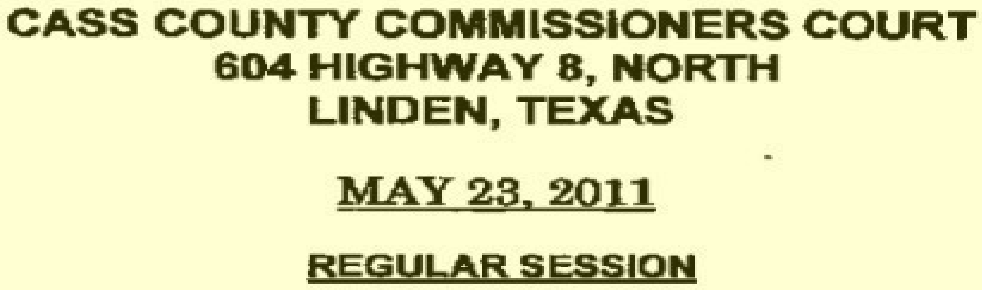
---

## CASS COUNTY COMMISSIONERS COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

MAY 9, 2011

REGULAR SESSION

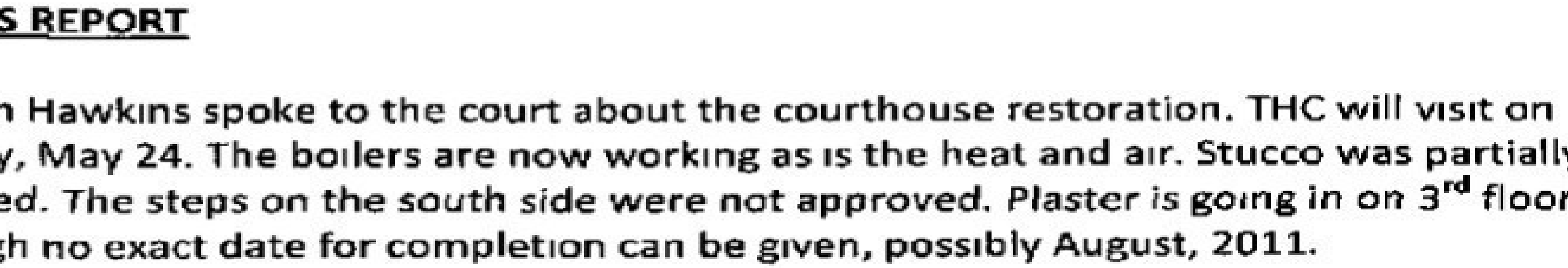
h Hawkins gave a report on the courthouse restoration. The heat and air are on. The plaster is
ng worked on Should start on the inside soon The signs for the sidewalks on the north side hav
pproved by THC The mineral coating on the courthouse should be next week The north and ea
ntains the color the courthouse will be



# CASS COUNTY COMMISSIONERS COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

**MAY 23, 2011**

**REGULAR SESSION**



**S REPORT**

n Hawkins spoke to the court about the courthouse restoration. THC will visit on
y, May 24. The boilers are now working as is the heat and air. Stucco was partiall
ed. The steps on the south side were not approved. Plaster is going in on 3rd floo
gh no exact date for completion can be given, possibly August, 2011.

try marks the first point in the record indicating that the courthouse restoration would
beyond the projected schedule.

## CASS COUNTY COMMISSIONERS COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

JUNE 13, 2011

REGULAR SESSION

### REPORT

ioner Cothren gave a report to the court regarding the courthouse restoration Stu
er is going inside and the concrete steps are being poured again.

---

## CASS COUNTY COMMISSIONERS COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

JULY 11, 2011

REGULAR SESSION

### REPORT

Hawkins gave a report on the courthouse restoration. They have begun to coat the
Elevator should be finished this week Windstream is pulling wire. Building should be
ally complete by late September or October, meaning the county can take possessio

# Cass County Commissioners Court
# Law Enforcement and Justice Center Building
# Linden, Texas

July 21, 2011

## Special Session

**CASS COUNTY COURTHOUSE RESTORATION PROJECT RELATING TO CONTRACTUAL CHANGES**
**E TEXAS HISTORICAL COMMISSION**

oner Fitts made the motion to submit a letter to the Texas Historical Commission asking for the
e that THC recaptured   Seconded by Commissioner Cothren   All voted yes

---

July 21, 2011

Mark Wolfe, Executive Director
Texas Historical Commission
PO Box 12276
Austin, TX 78711

RE Request for Supplemental THCPP Funding to Restore Recaptured Funding

Dear Mr Wolfe,

On behalf of the Cass County Commissioners' Court and the citizens of Cass County, I respectfully request that the Texas Historic Courthouse Preservation Program provide our county with supplemental funds in order to restore a portion of our original grant that was mistakenly recaptured by the THC Although our project came in under bid, the THC based its recapture calculations on construction costs that did not include abatement contracts which once executed, totaled $232,060 The county would like to ask the THC to restore this amount plus its associated 10% contingency so that Cass County has sufficient funds to complete its restoration Cass County based change order decisions on a contingency that was constructed by the architect who was unaware of the recapture error Because of this, the county needs the THC to restore the requested portion of its original grant funds so that the project can be completed

Please find the current and accurate contingency log as well as the contract amounts for abatement related work If you have any questions, please do not hesitate to contact me at 903-796-4502

Sincerely,

Paul Cothren
Cass County Commissioner

Cc Stan Graves, Director – Division of Architecture
Susan Gammage, Project Reviewer – THCPP
David Chase, Architect – ArchiTexas

**Pending Public Donation*

---

CASS COUNTY COMMISSIONERS COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

JULY 25, 2011

REGULAR SESSION

## REPORT

Hawkins gave a report on the courthouse restoration There is still a possible finish date
ber or October

---

CASS COUNTY COMMISSIONERS COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

AUGUST 8, 2011

REGULAR SESSION

## ER CHANGE ORDER REQUEST FOR COURTHOUSE RESTORATION PROJECT

ssioner Cothren made the motion to approve item #5 from the change order
ency log, which will replace the sidewalks around the courthouse and to accept fun
y citizens, local businesses and the Cass County Conservancy to pay for change orde
ed by Commissioner Fitts. All voted yes.

**CASS COUNTY COMMISSIONERS COURT**
**604 HIGHWAY 8, NORTH**
**LINDEN, TEXAS**

**SEPTEMBER 12, 2011**

**REGULAR SESSION**

**S REPORT**

awkins gave a report on the courthouse restoration. He should be able to finish the sidewalks with
ouple of weeks. If a window is red it means that it was a wooden window and if it is white, it mear
etal window

---

**CASS COUNTY COMMISSIONERS COURT**
**604 HIGHWAY 8, NORTH**
**LINDEN, TEXAS**

**OCTOBER 24, 2011**

**REGULAR SESSION**

**S REPORT**

sioner Cothren stated Kennath Hawkins will meet with the Judge The floors, the roof and the
looks good Don Blackwell spoke to the court about emergency management They are still o

---

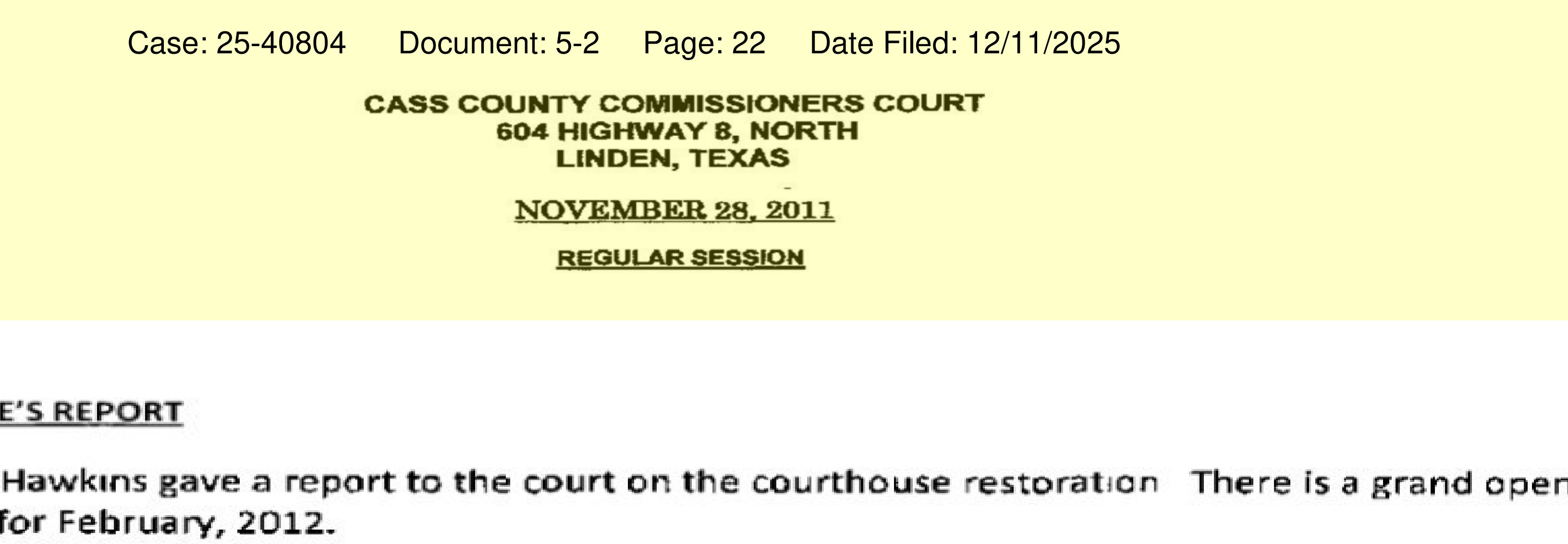
**CASS COUNTY COMMISSIONERS COURT**
**604 HIGHWAY 8, NORTH**
**LINDEN, TEXAS**

**NOVEMBER 14, 2011**

**REGULAR SESSION**

**S REPORT**

n Hawkins gave a report on the courthouse restoration: the grass is in, the outside is painted, 95% of the inside is
There is a hold up on the light fixtures and hardware The oak tree is causing a problem and he recommends it
own. The garden club, as well as all Commissioners' Court members, agree that the tree can be cut down



CASS COUNTY COMMISSIONERS COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

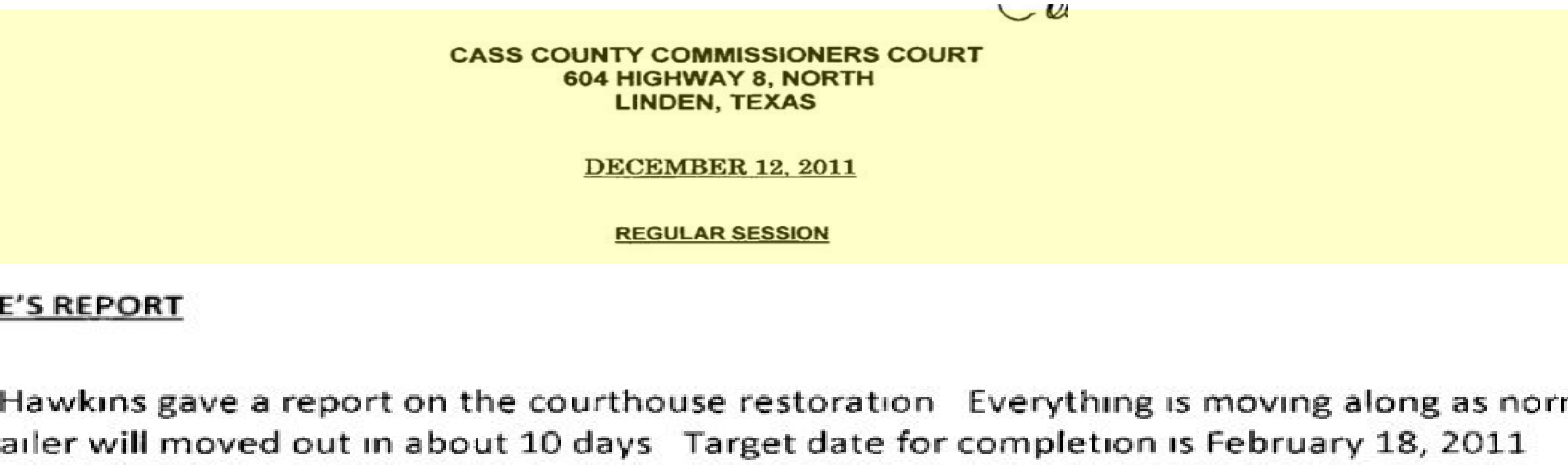
NOVEMBER 28, 2011

REGULAR SESSION

E'S REPORT

Hawkins gave a report to the court on the courthouse restoration There is a grand open
for February, 2012.

---



CASS COUNTY COMMISSIONERS COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

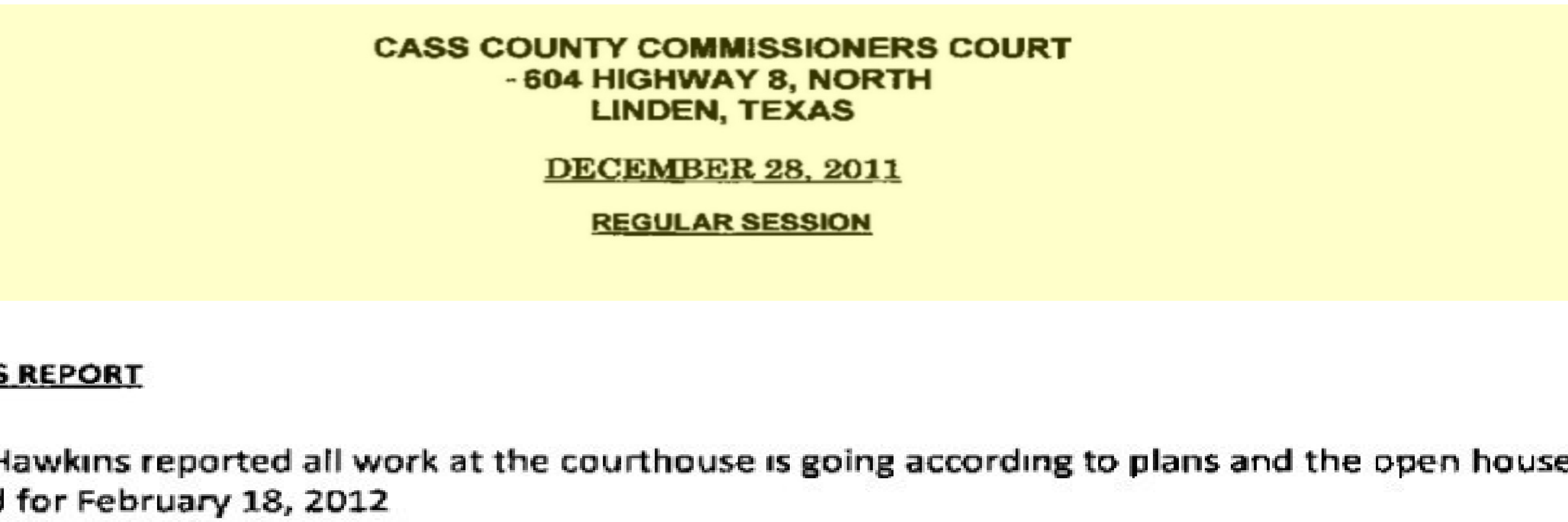
DECEMBER 12, 2011

REGULAR SESSION

E'S REPORT

Hawkins gave a report on the courthouse restoration Everything is moving along as norr
ailer will moved out in about 10 days Target date for completion is February 18, 2011

---



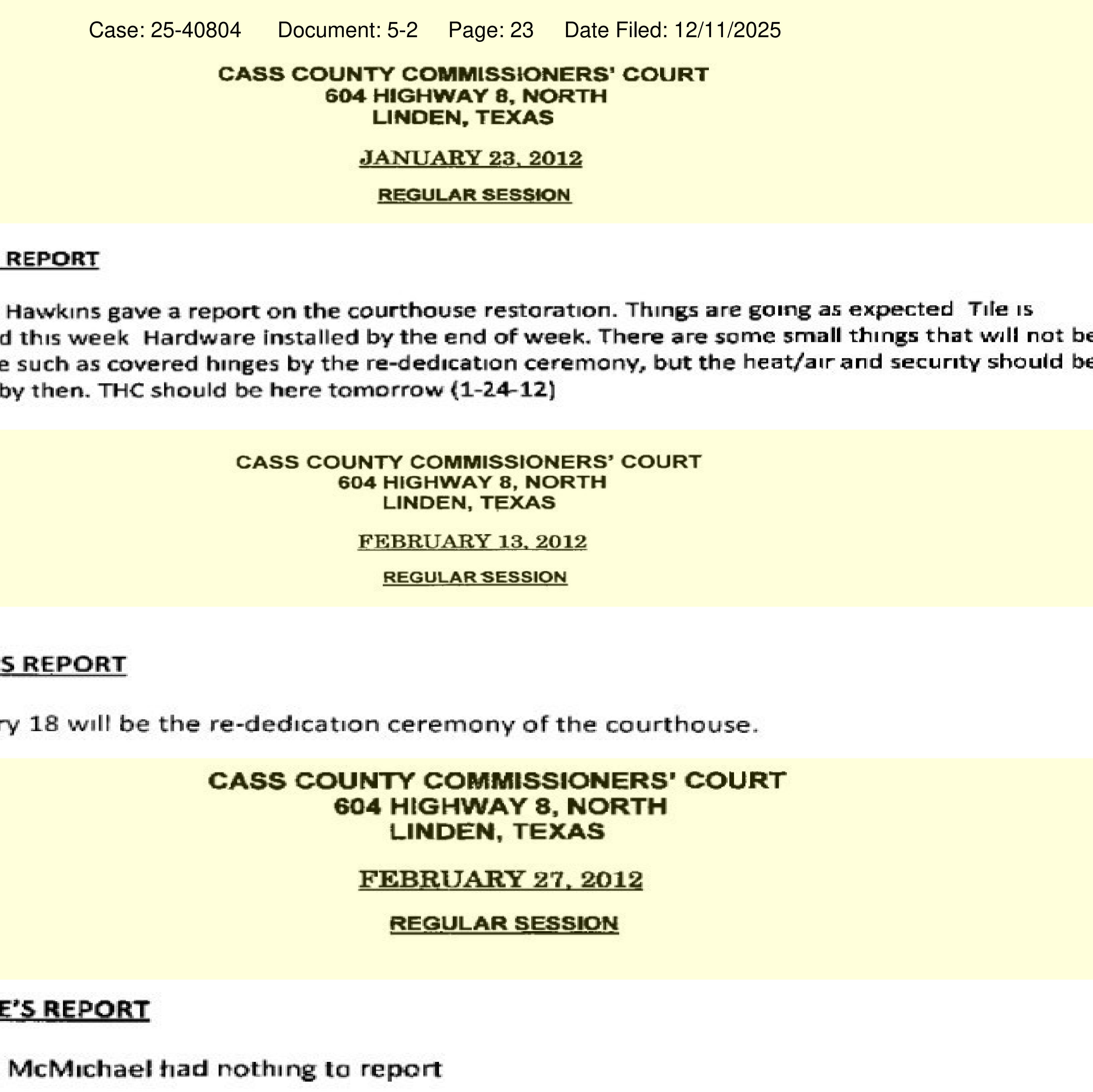
CASS COUNTY COMMISSIONERS COURT
- 604 HIGHWAY 8, NORTH
LINDEN, TEXAS

DECEMBER 28, 2011

REGULAR SESSION

S REPORT

Hawkins reported all work at the courthouse is going according to plans and the open house
for February 18, 2012



CASS COUNTY COMMISSIONERS' COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

JANUARY 23, 2012

REGULAR SESSION

**REPORT**

Hawkins gave a report on the courthouse restoration. Things are going as expected Tile is
d this week Hardware installed by the end of week. There are some small things that will not be
e such as covered hinges by the re-dedication ceremony, but the heat/air and security should be
by then. THC should be here tomorrow (1-24-12)

CASS COUNTY COMMISSIONERS' COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

FEBRUARY 13, 2012

REGULAR SESSION

**S REPORT**

ry 18 will be the re-dedication ceremony of the courthouse.

CASS COUNTY COMMISSIONERS' COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

FEBRUARY 27, 2012

REGULAR SESSION

**E'S REPORT**

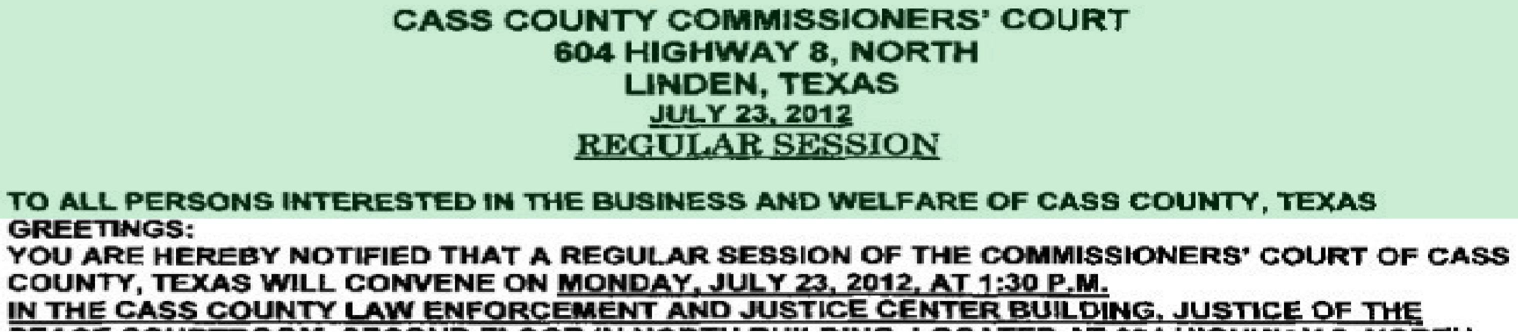
McMichael had nothing to report

## I : CONCLUSION

cord shows a full restoration of the Cass County Courthouse supported by state grant
ns, local appropriations, and change-order adjustments. The project moved through
cost increases, and administrative revisions, yet the work advanced to complete
ral and functional readiness. The restored courthouse received public acknowledgment
its re-dedication and stood open and prepared for county use. During this same period
nmissioners Court met at the Justice Center under a temporary arrangement created by
ction-related circumstances. The Texas statutes governing the county seat contain no
ty for a temporary relocation of the seat of government, and the record contains no
on authorizing officers to conduct their duties at the Justice Center. The county seat
ed at the courthouse by operation of law while government functions occurred at another
. When the restoration reached full completion the court did not enter any action
g sessions to the courthouse. The period closes with a restored courthouse and an
g pattern of government activity in a building that never received lawful designation.

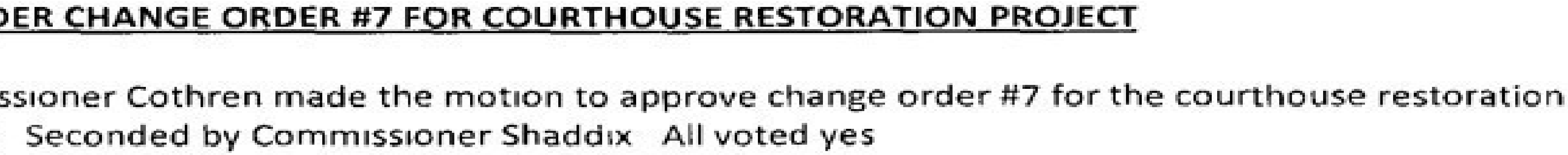
# PART II : RESTRUCTURING 2012-2017

CASS COUNTY COMMISSIONERS' COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS



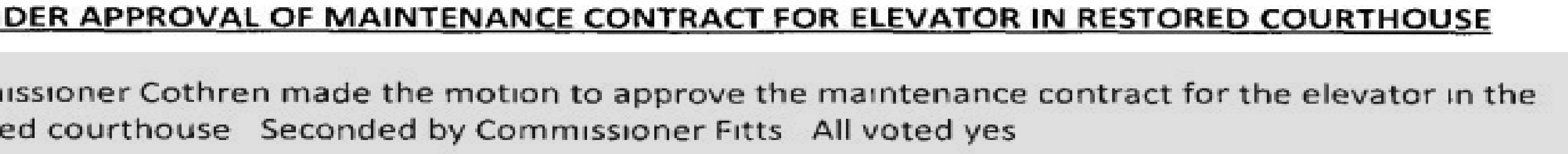
CASS COUNTY COMMISSIONERS' COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS
JULY 23, 2012
REGULAR SESSION

TO ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS
GREETINGS:
YOU ARE HEREBY NOTIFIED THAT A REGULAR SESSION OF THE COMMISSIONERS' COURT OF CASS COUNTY, TEXAS WILL CONVENE ON MONDAY, JULY 23, 2012, AT 1:30 P.M.
IN THE CASS COUNTY LAW ENFORCEMENT AND JUSTICE CENTER BUILDING, JUSTICE OF THE



DER CHANGE ORDER #7 FOR COURTHOUSE RESTORATION PROJECT

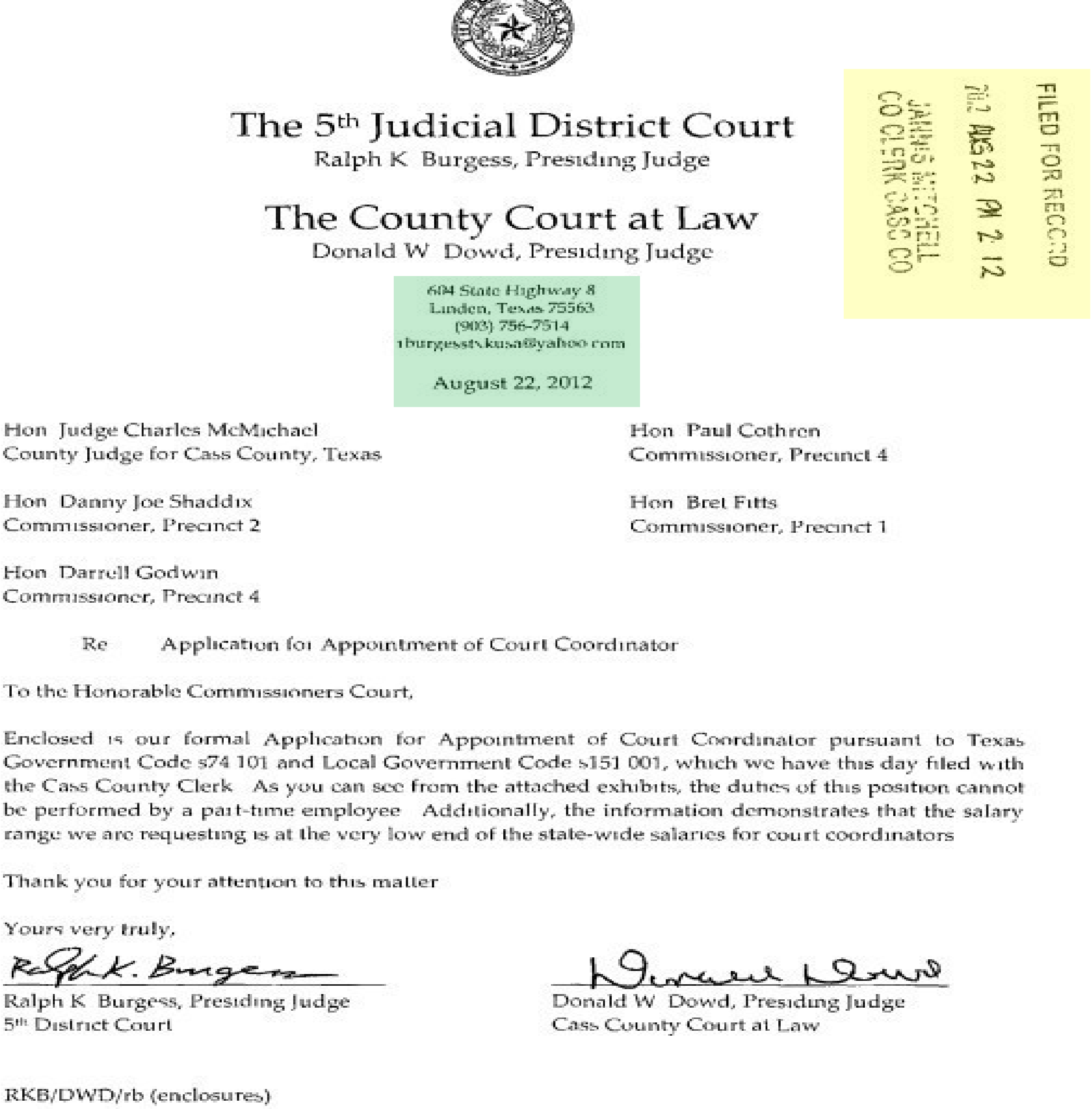
ssioner Cothren made the motion to approve change order #7 for the courthouse restoration
Seconded by Commissioner Shaddix All voted yes



DER APPROVAL OF MAINTENANCE CONTRACT FOR ELEVATOR IN RESTORED COURTHOUSE

issioner Cothren made the motion to approve the maintenance contract for the elevator in the
ed courthouse Seconded by Commissioner Fitts All voted yes

ntry records the County's formal recognition of the restored courthouse as an active building. Approval of a maintenance contract for the elevator required the ssioners Court to acknowledge the courthouse as a completed structure placed into onal status under county ownership and state oversight.



# The 5th Judicial District Court

Ralph K Burgess, Presiding Judge

# The County Court at Law

Donald W Dowd, Presiding Judge

604 State Highway 8
Linden, Texas 75563
(903) 756-7514
rburgesstxkusa@yahoo com

FILED FOR RECORD
2012 AUG 22 PM 2 12
JANIS MITCHELL
CO CLERK CASS CO

August 22, 2012

Hon Judge Charles McMichael
County Judge for Cass County, Texas

Hon Paul Cothren
Commissioner, Precinct 4

Hon Danny Joe Shaddix
Commissioner, Precinct 2

Hon Bret Fitts
Commissioner, Precinct 1

Hon Darrell Godwin
Commissioner, Precinct 4

Re Application for Appointment of Court Coordinator

To the Honorable Commissioners Court,

Enclosed is our formal Application for Appointment of Court Coordinator pursuant to Texas Government Code s74 101 and Local Government Code s151 001, which we have this day filed with the Cass County Clerk As you can see from the attached exhibits, the duties of this position cannot be performed by a part-time employee Additionally, the information demonstrates that the salary range we are requesting is at the very low end of the state-wide salaries for court coordinators

Thank you for your attention to this matter

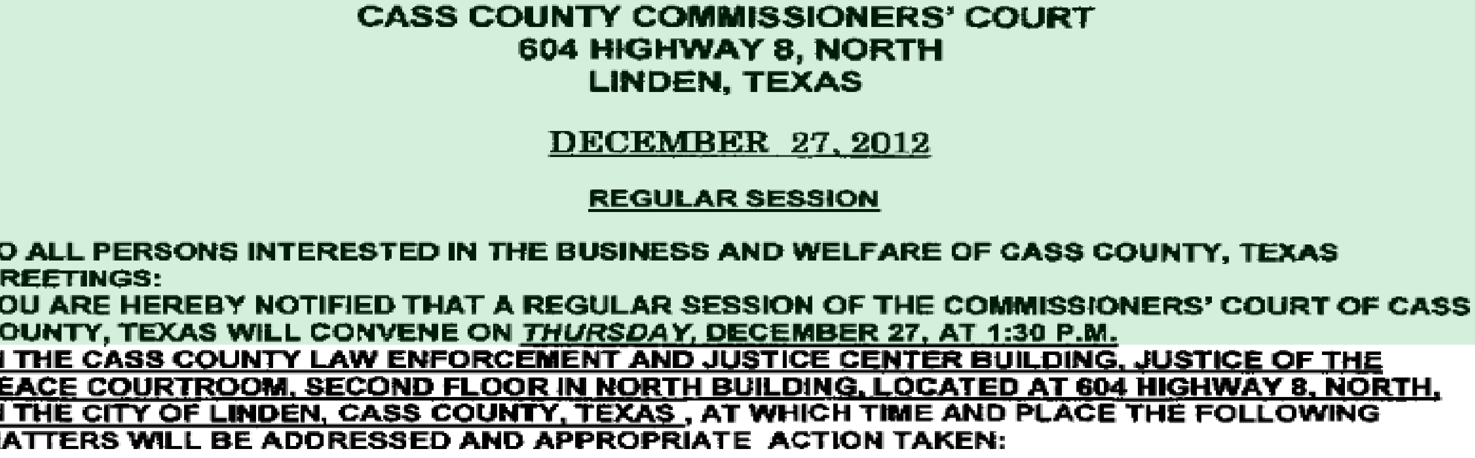
Yours very truly,

Ralph K. Burgess
Ralph K Burgess, Presiding Judge
5th District Court

Donald W Dowd, Presiding Judge
Cass County Court at Law

RKB/DWD/rb (enclosures)

the record shows the first documented separation between the County
nd the operational location of court administration. The District Court issued
quest from the Justice Center, while the County Clerk’s file stamp identifies the
thouse at 100 East Houston Street as the official site for record authority. The
placement marks the administrative shift that made a court coordinator
ssary to link the judge’s operations to the statutory venue.

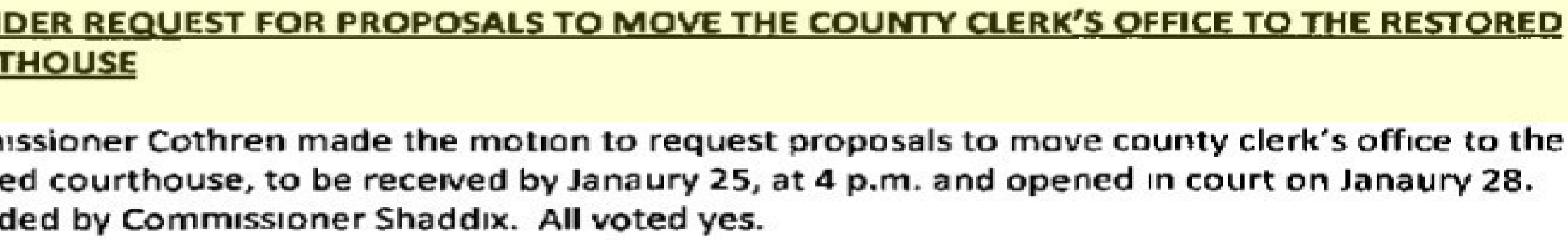


**CASS COUNTY COMMISSIONERS' COURT**
**604 HIGHWAY 8, NORTH**
**LINDEN, TEXAS**

**DECEMBER 27, 2012**

**REGULAR SESSION**

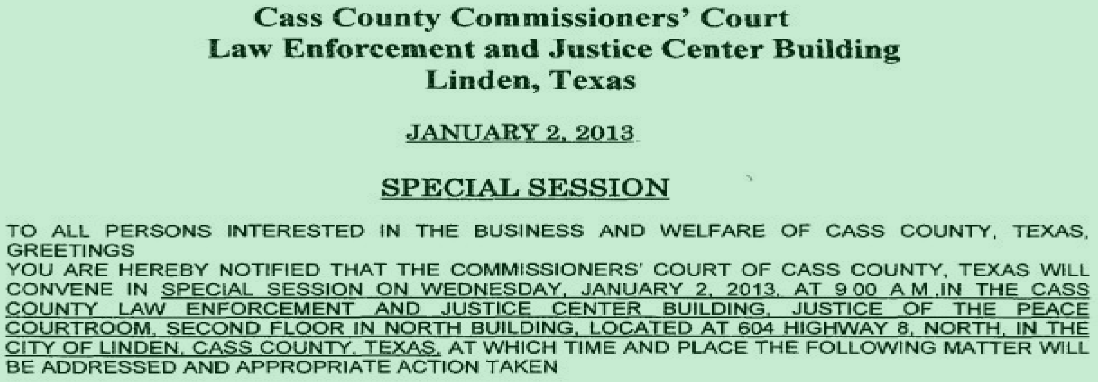
O ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS
REETINGS:
OU ARE HEREBY NOTIFIED THAT A REGULAR SESSION OF THE COMMISSIONERS' COURT OF CASS
OUNTY, TEXAS WILL CONVENE ON *THURSDAY*, DECEMBER 27, AT 1:30 P.M.
I THE CASS COUNTY LAW ENFORCEMENT AND JUSTICE CENTER BUILDING, JUSTICE OF THE
EACE COURTROOM, SECOND FLOOR IN NORTH BUILDING, LOCATED AT 604 HIGHWAY 8, NORTH,
I THE CITY OF LINDEN, CASS COUNTY, TEXAS , AT WHICH TIME AND PLACE THE FOLLOWING
IATTERS WILL BE ADDRESSED AND APPROPRIATE ACTION TAKEN:



**DER REQUEST FOR PROPOSALS TO MOVE THE COUNTY CLERK'S OFFICE TO THE RESTORED**
**THOUSE**

issioner Cothren made the motion to request proposals to move county clerk's office to the
ed courthouse, to be received by Janaury 25, at 4 p.m. and opened in court on Janaury 28.
ded by Commissioner Shaddix. All voted yes.

nder Texas law, the County Clerk is the first constitutional officer whose office must ccupy the county seat – the other officers follow.

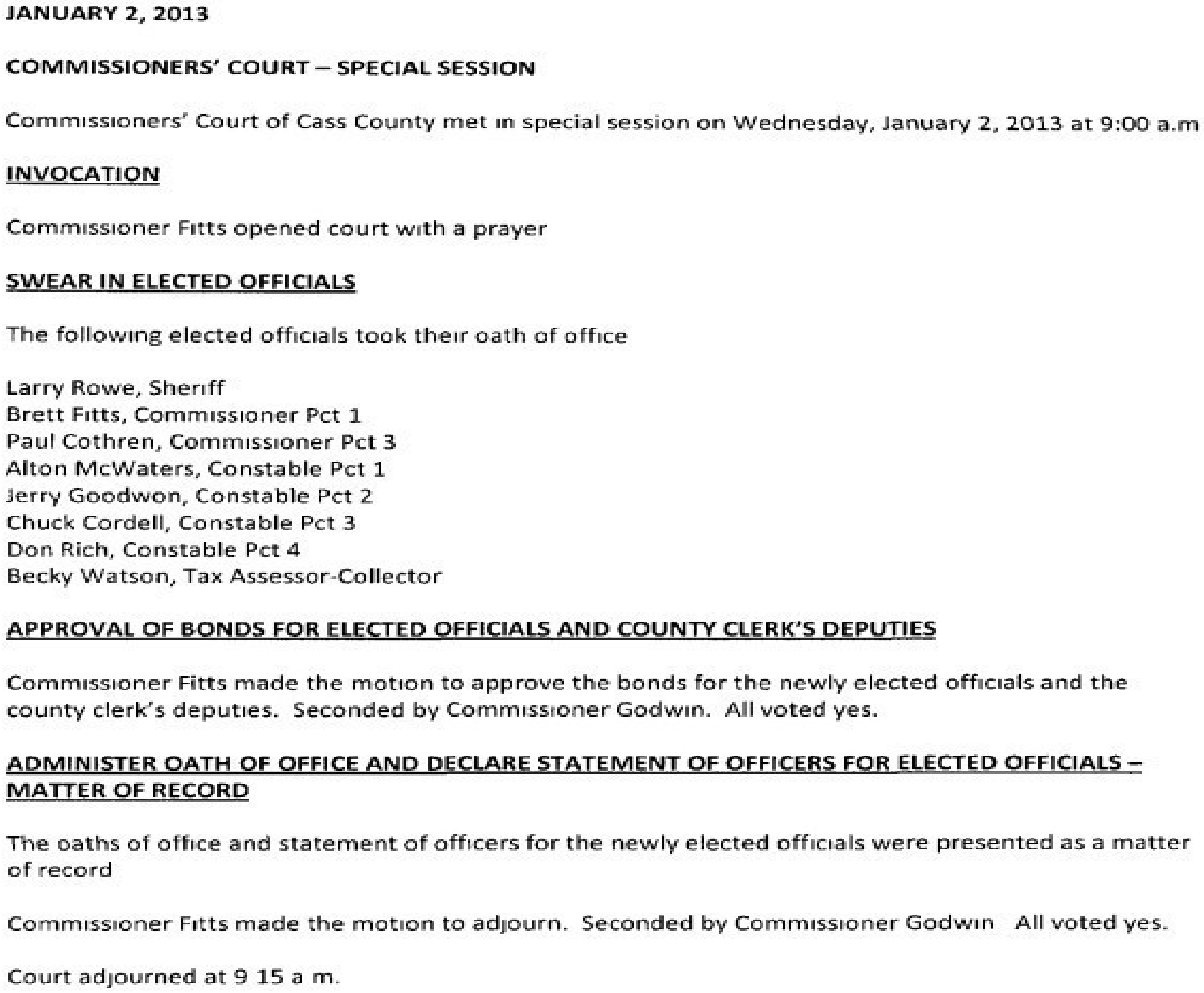


## Cass County Commissioners' Court
## Law Enforcement and Justice Center Building
## Linden, Texas

JANUARY 2, 2013

## SPECIAL SESSION

TO ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS, GREETINGS
YOU ARE HEREBY NOTIFIED THAT THE COMMISSIONERS' COURT OF CASS COUNTY, TEXAS WILL CONVENE IN SPECIAL SESSION ON WEDNESDAY, JANUARY 2, 2013, AT 9 00 A M .IN THE CASS COUNTY LAW ENFORCEMENT AND JUSTICE CENTER BUILDING, JUSTICE OF THE PEACE COURTROOM, SECOND FLOOR IN NORTH BUILDING, LOCATED AT 604 HIGHWAY 8, NORTH, IN THE CITY OF LINDEN, CASS COUNTY, TEXAS, AT WHICH TIME AND PLACE THE FOLLOWING MATTER WILL BE ADDRESSED AND APPROPRIATE ACTION TAKEN



**JANUARY 2, 2013**

**COMMISSIONERS' COURT – SPECIAL SESSION**

Commissioners' Court of Cass County met in special session on Wednesday, January 2, 2013 at 9:00 a.m

**INVOCATION**

Commissioner Fitts opened court with a prayer

**SWEAR IN ELECTED OFFICIALS**

The following elected officials took their oath of office

Larry Rowe, Sheriff
Brett Fitts, Commissioner Pct 1
Paul Cothren, Commissioner Pct 3
Alton McWaters, Constable Pct 1
Jerry Goodwon, Constable Pct 2
Chuck Cordell, Constable Pct 3
Don Rich, Constable Pct 4
Becky Watson, Tax Assessor-Collector

**APPROVAL OF BONDS FOR ELECTED OFFICIALS AND COUNTY CLERK'S DEPUTIES**

Commissioner Fitts made the motion to approve the bonds for the newly elected officials and the county clerk's deputies. Seconded by Commissioner Godwin. All voted yes.

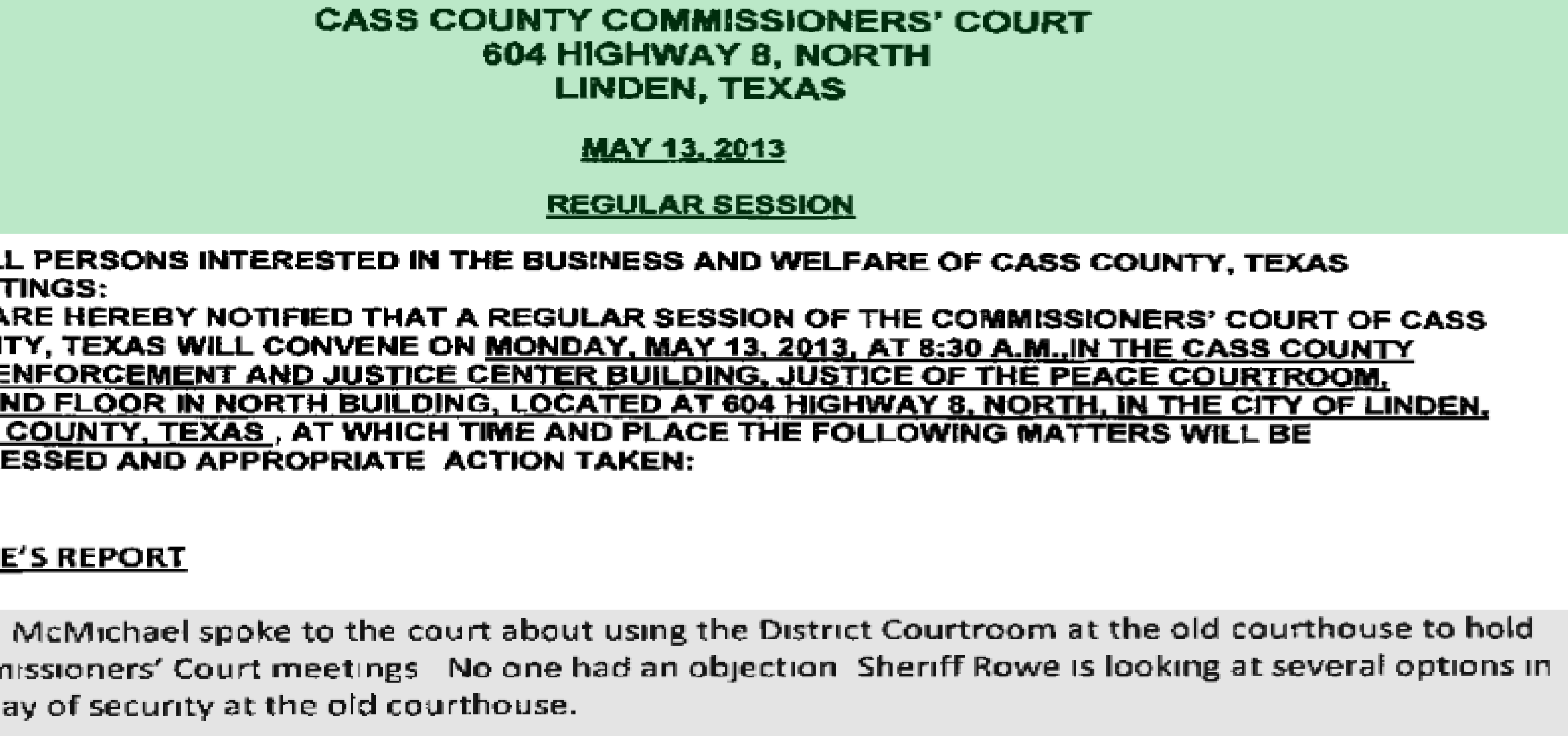
**ADMINISTER OATH OF OFFICE AND DECLARE STATEMENT OF OFFICERS FOR ELECTED OFFICIALS – MATTER OF RECORD**

The oaths of office and statement of officers for the newly elected officials were presented as a matter of record

Commissioner Fitts made the motion to adjourn. Seconded by Commissioner Godwin All voted yes.

Court adjourned at 9 15 a m.

his entry records that the swearing-in of elected officials, the approval of bonds, and the ling of official qualifications were conducted at the Justice Center. The minutes show at these constitutional ceremonies occurred at that location on January 2, 2013. The ecord contains no accompanying entry identifying any designation of the Justice Center s the county seat. Subsequent minutes continue to show county proceedings conducted the same location.



CASS COUNTY COMMISSIONERS' COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

**MAY 13, 2013**

**REGULAR SESSION**

L PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS
TINGS:
ARE HEREBY NOTIFIED THAT A REGULAR SESSION OF THE COMMISSIONERS' COURT OF CASS
ITY, TEXAS WILL CONVENE ON MONDAY, MAY 13, 2013, AT 8:30 A.M., IN THE CASS COUNTY
ENFORCEMENT AND JUSTICE CENTER BUILDING, JUSTICE OF THE PEACE COURTROOM,
ND FLOOR IN NORTH BUILDING, LOCATED AT 604 HIGHWAY 8, NORTH, IN THE CITY OF LINDEN,
COUNTY, TEXAS , AT WHICH TIME AND PLACE THE FOLLOWING MATTERS WILL BE
ESSED AND APPROPRIATE ACTION TAKEN:

**E'S REPORT**

McMichael spoke to the court about using the District Courtroom at the old courthouse to hold
nissioners' Court meetings No one had an objection Sheriff Rowe is looking at several options in
ay of security at the old courthouse.

ntry documents the first instance in which the Commissioners' Court refers to
tored courthouse as "the old courthouse." Earlier minutes describe the
ng as the courthouse undergoing restoration. Today they refer to the building
toric. It is ironically historic for being the oldest 'operating' courthouses in
Operating as in functioning and open.

# CASS COUNTY COMMISSIONERS' COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

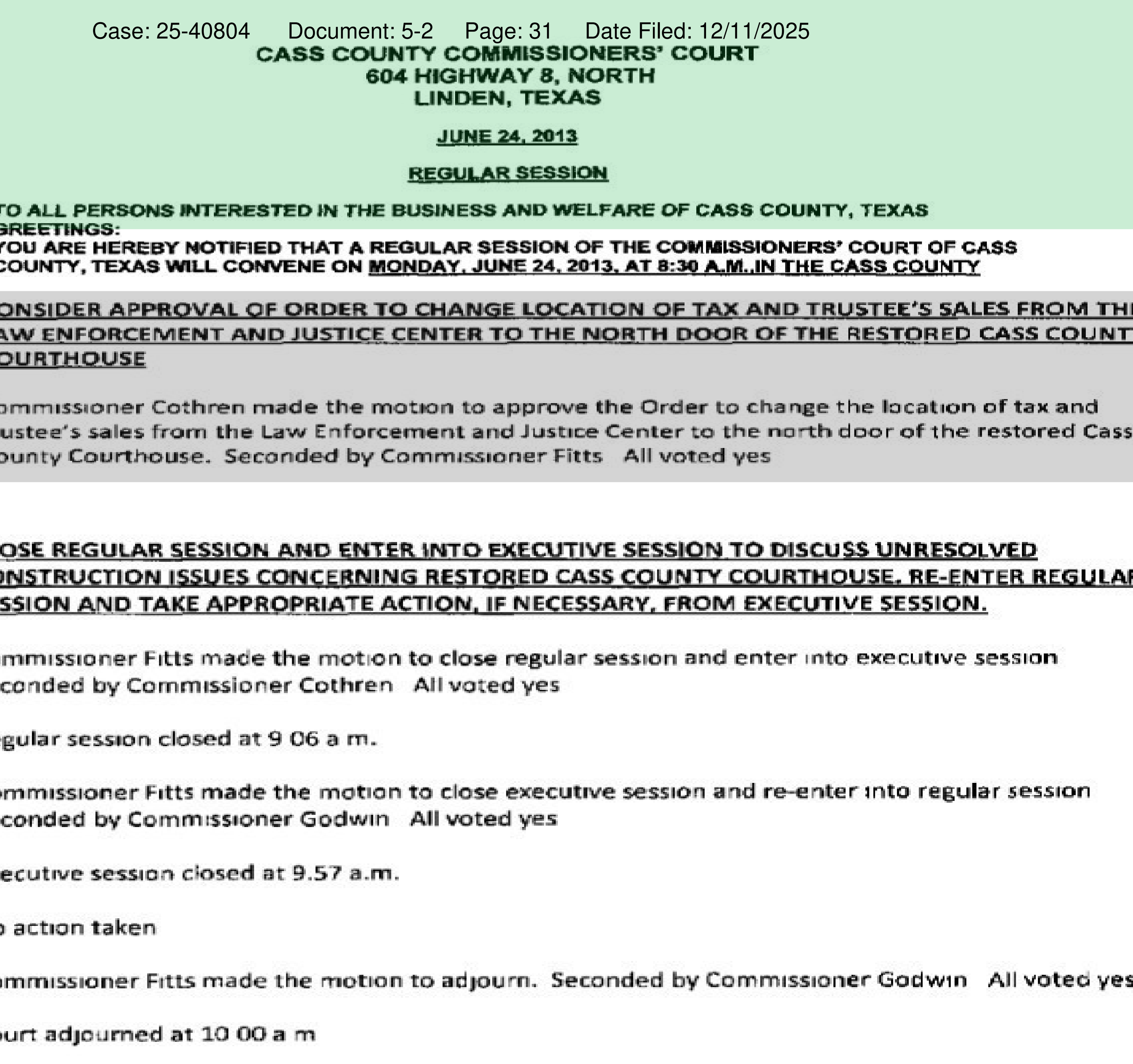
MAY 28, 2013

REGULAR SESSION

TO ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS
GREETINGS:
YOU ARE HEREBY NOTIFIED THAT A REGULAR SESSION OF THE COMMISSIONERS' COURT OF CASS COUNTY, TEXAS WILL CONVENE ON TUESDAY, MAY 28, 2013, AT 8:30 A.M., IN THE CASS COUNTY LAW ENFORCEMENT AND JUSTICE CENTER BUILDING, JUSTICE OF THE PEACE COURTROOM, SECOND FLOOR IN NORTH BUILDING, LOCATED AT 604 HIGHWAY 8, NORTH, IN THE CITY OF LINDEN, CASS COUNTY, TEXAS , AT WHICH TIME AND PLACE THE FOLLOWING MATTERS WILL BE ADDRESSED AND APPROPRIATE ACTION TAKEN:

## JUDGE'S REPORT

The County Clerk's Office is ready to open on May 29 at the historic courthouse



**CASS COUNTY COMMISSIONERS' COURT**
**604 HIGHWAY 8, NORTH**
**LINDEN, TEXAS**

**JUNE 24, 2013**

**REGULAR SESSION**

**TO ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS**
**GREETINGS:**
**YOU ARE HEREBY NOTIFIED THAT A REGULAR SESSION OF THE COMMISSIONERS' COURT OF CASS COUNTY, TEXAS WILL CONVENE ON MONDAY, JUNE 24, 2013, AT 8:30 A.M., IN THE CASS COUNTY**

**ONSIDER APPROVAL OF ORDER TO CHANGE LOCATION OF TAX AND TRUSTEE'S SALES FROM TH**
**AW ENFORCEMENT AND JUSTICE CENTER TO THE NORTH DOOR OF THE RESTORED CASS COUNT**
**OURTHOUSE**

ommissioner Cothren made the motion to approve the Order to change the location of tax and
ustee's sales from the Law Enforcement and Justice Center to the north door of the restored Cass
ounty Courthouse. Seconded by Commissioner Fitts All voted yes

**OSE REGULAR SESSION AND ENTER INTO EXECUTIVE SESSION TO DISCUSS UNRESOLVED**
**ONSTRUCTION ISSUES CONCERNING RESTORED CASS COUNTY COURTHOUSE. RE-ENTER REGULAR**
**SSION AND TAKE APPROPRIATE ACTION, IF NECESSARY, FROM EXECUTIVE SESSION.**

mmissioner Fitts made the motion to close regular session and enter into executive session
conded by Commissioner Cothren All voted yes

gular session closed at 9 06 a m.

ommissioner Fitts made the motion to close executive session and re-enter into regular session
conded by Commissioner Godwin All voted yes

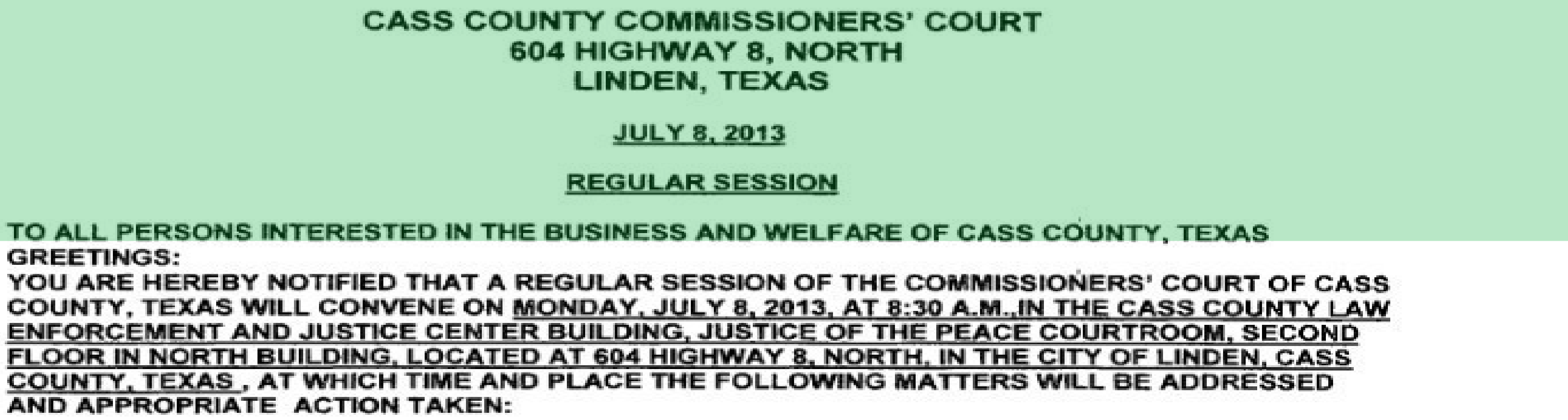
ecutive session closed at 9.57 a.m.

action taken

ommissioner Fitts made the motion to adjourn. Seconded by Commissioner Godwin All voted yes

ourt adjourned at 10 00 a m

g tax and trustee's sales to the north door of the restored courthouse marks the first
use of the courthouse for active county functions after renovation, creating a split
ational locations without any relocation order.

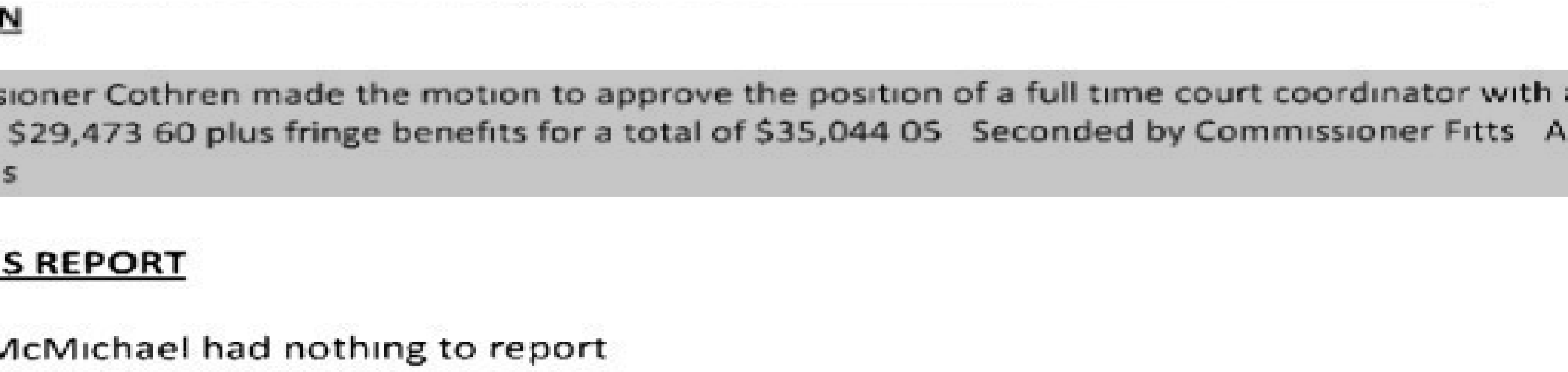


CASS COUNTY COMMISSIONERS' COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

JULY 8, 2013

REGULAR SESSION

TO ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS
GREETINGS:
YOU ARE HEREBY NOTIFIED THAT A REGULAR SESSION OF THE COMMISSIONERS' COURT OF CASS COUNTY, TEXAS WILL CONVENE ON MONDAY, JULY 8, 2013, AT 8:30 A.M.,IN THE CASS COUNTY LAW ENFORCEMENT AND JUSTICE CENTER BUILDING, JUSTICE OF THE PEACE COURTROOM, SECOND FLOOR IN NORTH BUILDING, LOCATED AT 604 HIGHWAY 8, NORTH, IN THE CITY OF LINDEN, CASS COUNTY, TEXAS , AT WHICH TIME AND PLACE THE FOLLOWING MATTERS WILL BE ADDRESSED AND APPROPRIATE ACTION TAKEN:



N

sioner Cothren made the motion to approve the position of a full time court coordinator with
$29,473 60 plus fringe benefits for a total of $35,044 05   Seconded by Commissioner Fitts   A
s

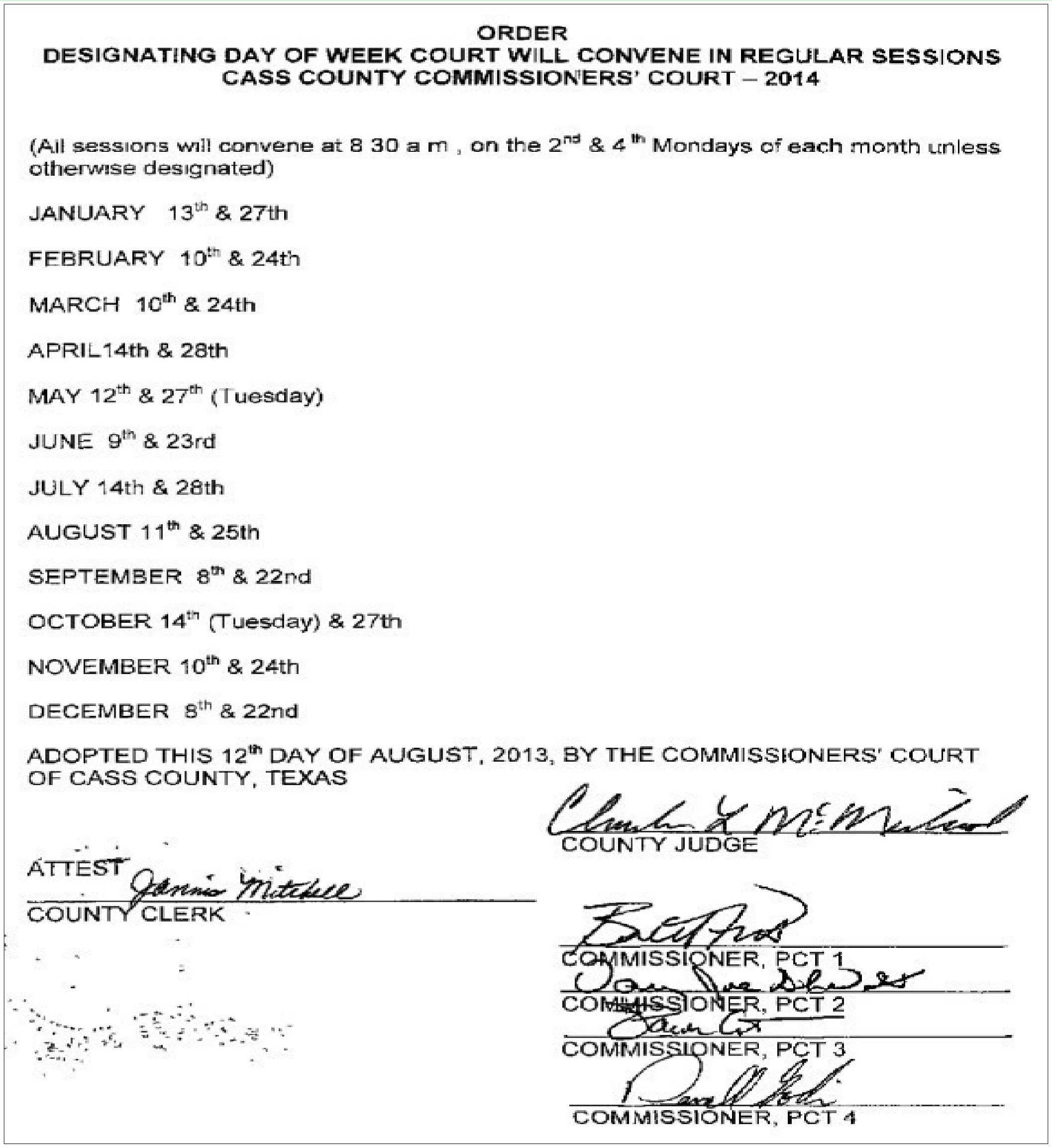
S REPORT

McMichael had nothing to report

CASS COUNTY COMMISSIONERS' COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

AUGUST 12, 2013

REGULAR SESSION



ORDER
DESIGNATING DAY OF WEEK COURT WILL CONVENE IN REGULAR SESSIONS
CASS COUNTY COMMISSIONERS' COURT – 2014

(All sessions will convene at 8 30 a m , on the 2nd & 4 th Mondays of each month unless otherwise designated)

JANUARY 13th & 27th

FEBRUARY 10th & 24th

MARCH 10th & 24th

APRIL14th & 28th

MAY 12th & 27th (Tuesday)

JUNE 9th & 23rd

JULY 14th & 28th

AUGUST 11th & 25th

SEPTEMBER 8th & 22nd

OCTOBER 14th (Tuesday) & 27th

NOVEMBER 10th & 24th

DECEMBER 8th & 22nd

ADOPTED THIS 12th DAY OF AUGUST, 2013, BY THE COMMISSIONERS' COURT OF CASS COUNTY, TEXAS

Charles L McMichael
COUNTY JUDGE

ATTEST
Jannis Mitchell
COUNTY CLERK

COMMISSIONER, PCT 1

COMMISSIONER, PCT 2

COMMISSIONER, PCT 3

COMMISSIONER, PCT 4

mmissioners Court has re-issued this calendar-year "designating day of week court will convene" ery year since 2014.

anent county-seat structure operates without annual re-designation, and for more than 150 years mmissioners Court met at the Cass County Courthouse under that stable practice.

tinued yearly adoption establishes the *temporary* meeting arrangement that the officer live under m remains in effect to the present day.

## DISTRICT CLERK – CASS COUNTY, TEXAS
## PRESERVATION AND RESTORATION RECORDS PLAN

### UTIVE SUMMARY

The purpose of this document is to define the restoration and preservation, digital capture, ge, retention and management of archived records belonging to the District Clerk's Office. Records ained in the District Clerk's office have been identified to fall under the category of "Preservation estoration Plan" that will provide reproduction and archiving of such records and assist in nizing storage space and making records readily available for optimum viewing. It is the intent of istrict Clerk to follow guidelines set by the Texas State Library and Archives Commissioner for rvation of such records.

The goal is to reproduce and archive all documents, regardless of type, as efficiently as possible istrict Clerk's Office is also looking at restoring records, suspending or reducing deterioration of records, improving the public access to these documents in a manner that reduces the risk of ioration, and possible reducing or eliminating paper documents

### E

The scope of this document includes the following
- *All District Clerk records filed at the Cass County Law Enforcement and Justice Center
- *Plans to restore and preserve records with significant historical value
- *Future plans are to improve public and governmental access and provide an archive for record that have or will be imaged

This document addresses the restoration and preservation needs of the District Clerk Records ve No other departments are addressed

### ON ONE: RECORDS CURRENTLY IN REPOSITORY

### NTORY

Currently the District Clerk's office holds books and files regarding civil and criminal actions that on a daily basis

### ON TWO: RESTORATION AND PRESERVATION

### ANENT RECORDS

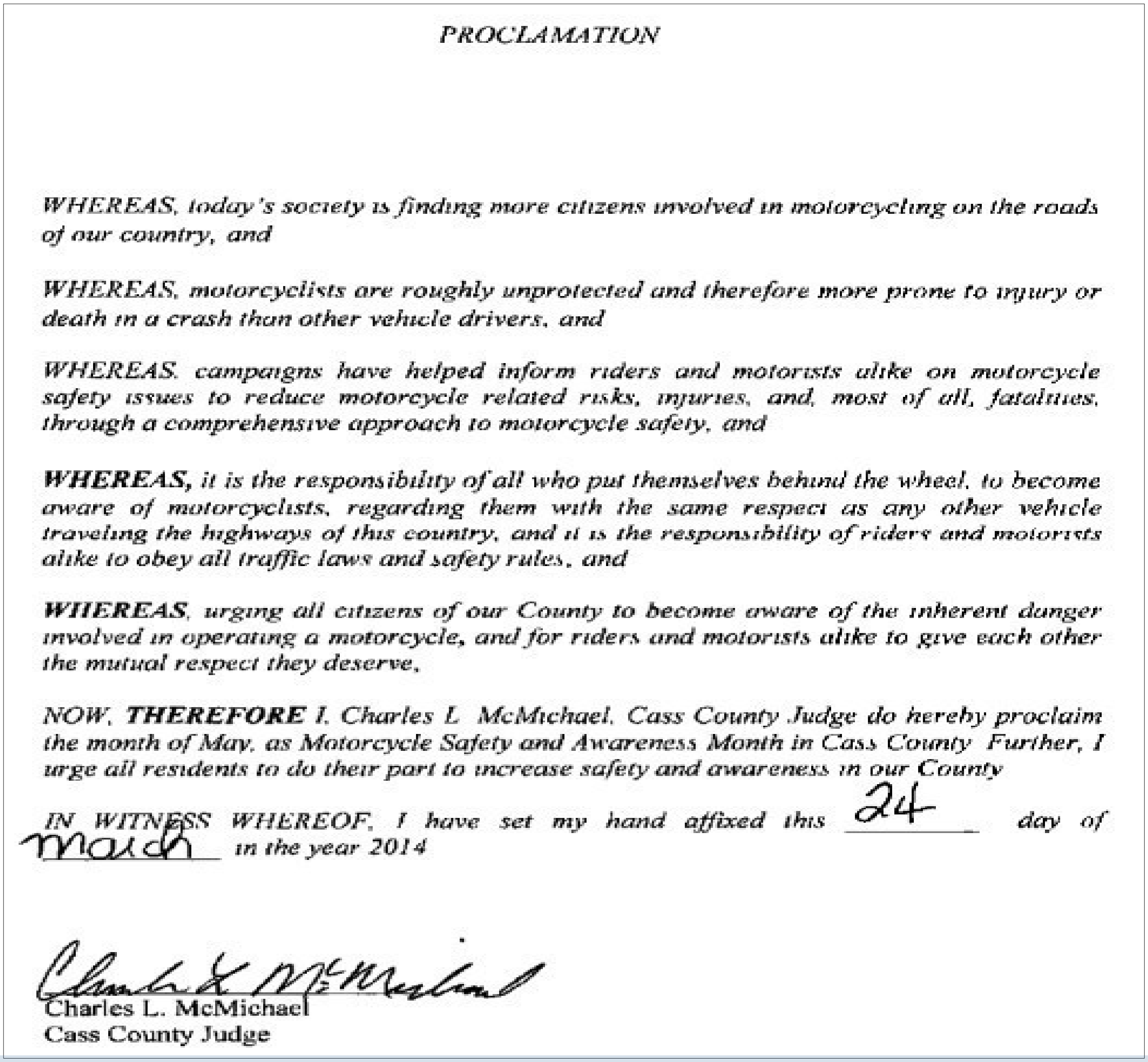
Records are currently imaged by case file and the District Clerk will inquire into the possibility of d party vendor housing these images off sight This would assist in archiving the imaged records. istrict Clerk is also inquiring into the ability to view records on-line at anytime for approved users. nay be an addition to our main system to avoid not being able to access records if our main system vn or court needed to be performed off-site. This would be an ongoing service that would be ble to approved users when the need arose.

daily retrieval from the courthouse

### ANENT RECORDS

**CASS COUNTY COMMISSIONERS' COURT**
**604 HIGHWAY 8, NORTH**
**LINDEN, TEXAS**

**MARCH 24, 2014**



*PROCLAMATION*

*WHEREAS, today's society is finding more citizens involved in motorcycling on the roads of our country, and*

*WHEREAS, motorcyclists are roughly unprotected and therefore more prone to injury or death in a crash than other vehicle drivers, and*

*WHEREAS, campaigns have helped inform riders and motorists alike on motorcycle safety issues to reduce motorcycle related risks, injuries, and, most of all, fatalities, through a comprehensive approach to motorcycle safety, and*

***WHEREAS,** it is the responsibility of all who put themselves behind the wheel, to become aware of motorcyclists, regarding them with the same respect as any other vehicle traveling the highways of this country, and it is the responsibility of riders and motorists alike to obey all traffic laws and safety rules, and*

***WHEREAS**, urging all citizens of our County to become aware of the inherent danger involved in operating a motorcycle, and for riders and motorists alike to give each other the mutual respect they deserve,*

*NOW, **THEREFORE** I, Charles L McMichael, Cass County Judge do hereby proclaim the month of May, as Motorcycle Safety and Awareness Month in Cass County Further, I urge all residents to do their part to increase safety and awareness in our County*

*IN WITNESS WHEREOF, I have set my hand affixed this* 24 *day of* March *in the year 2014*

Charles L McMichael
Charles L. McMichael
Cass County Judge

proclamations issued before 2008 included the location of the courthouse because nations were made at the lawful county seat, and the venue itself carried no legal risk. ne shift to the Justice Center, the Commissioners Court began omitting all references to n in routine proclamations.

## CASS COUNTY COMMISSIONERS' COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

**AUGUST 11, 2014**

**REGULAR SESSION**

## ORDER
## DESIGNATING DAY OF WEEK COURT WILL CONVENE IN REGULAR SESSIONS CASS COUNTY COMMISSIONERS' COURT – 2015

(All sessions will convene at 8 30 a m , on the 2nd & 4th Mondays of each month unless otherwise designated)

JANUARY 12th & 26th

FEBRUARY 9th & 23rd

MARCH 9th & 23rd

APRIL13th & 27th

MAY 11th & 26th (Tuesday)

JUNE 8th & 22nd

JULY 13th & 27th

AUGUST 10th & 24th

SEPTEMBER 14th & 28th

OCTOBER 13th (Tuesday) & 26th

NOVEMBER 9th & 23rd

DECEMBER 14th & 29th (Tuesday)

ADOPTED THIS 11th DAY OF AUGUST, 2014, BY THE COMMISSIONERS' COURT OF CASS COUNTY, TEXAS

COUNTY JUDGE

ATTEST

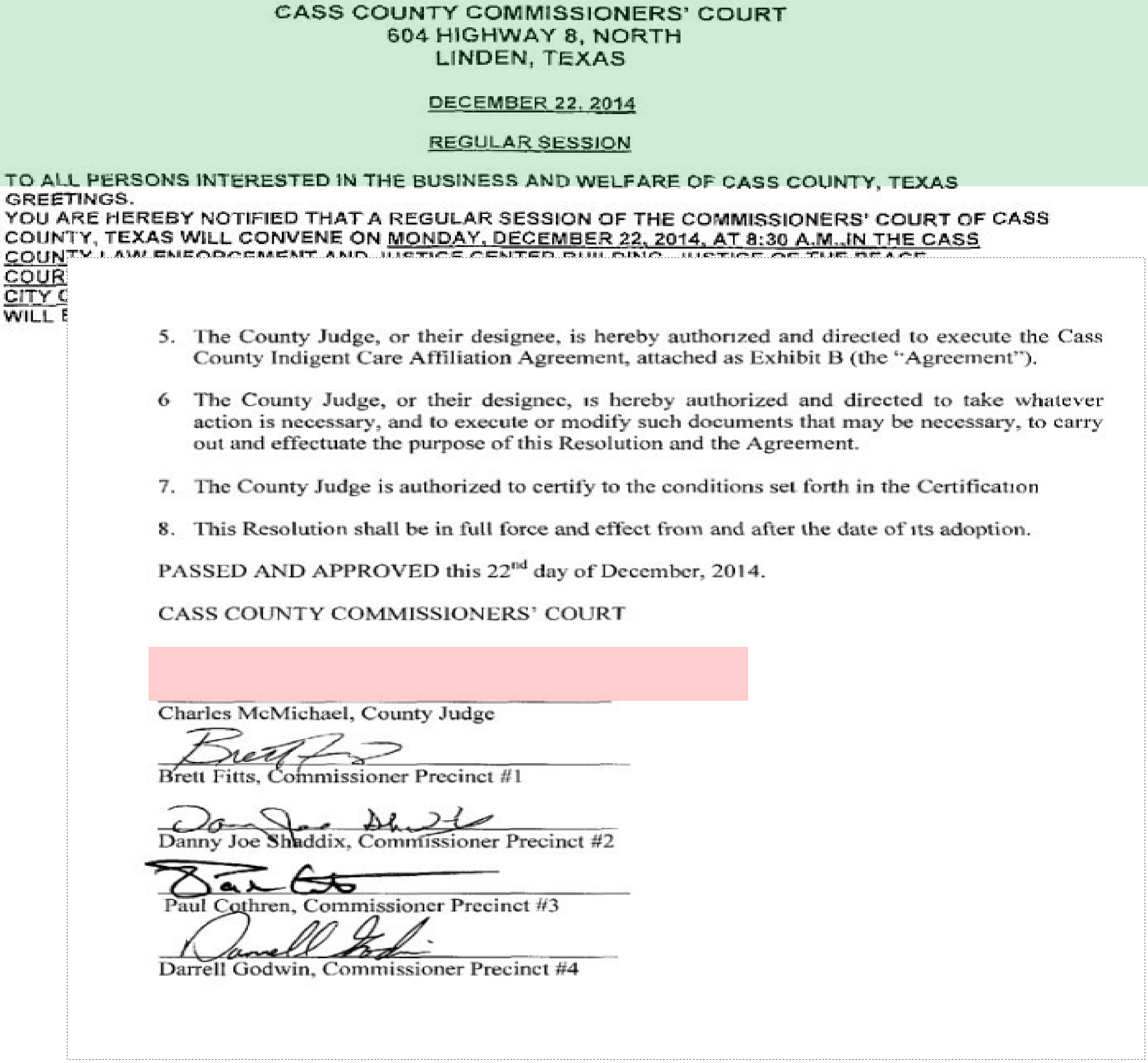
COUNTY CLERK

COMMISSIONER, PCT 1

COMMISSIONER, PCT 2

COMMISSIONER, PCT 3

COMMISSIONER, PCT 4



CASS COUNTY COMMISSIONERS' COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

DECEMBER 22, 2014

REGULAR SESSION

TO ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS
GREETINGS.
YOU ARE HEREBY NOTIFIED THAT A REGULAR SESSION OF THE COMMISSIONERS' COURT OF CASS COUNTY, TEXAS WILL CONVENE ON MONDAY, DECEMBER 22, 2014, AT 8:30 A.M., IN THE CASS
COUNT
COUR
CITY C
WILL

5. The County Judge, or their designee, is hereby authorized and directed to execute the Cass County Indigent Care Affiliation Agreement, attached as Exhibit B (the "Agreement").

6 The County Judge, or their designee, is hereby authorized and directed to take whatever action is necessary, and to execute or modify such documents that may be necessary, to carry out and effectuate the purpose of this Resolution and the Agreement.

7. The County Judge is authorized to certify to the conditions set forth in the Certification

8. This Resolution shall be in full force and effect from and after the date of its adoption.

PASSED AND APPROVED this 22nd day of December, 2014.

CASS COUNTY COMMISSIONERS' COURT

Charles McMichael, County Judge

Brett Fitts, Commissioner Precinct #1

Danny Joe Shaddix, Commissioner Precinct #2

Paul Cothren, Commissioner Precinct #3

Darrell Godwin, Commissioner Precinct #4

resolution reflects the first instance where the County Judge's signature
k is left unexecuted without any notation of absence. In the following years,
ar omissions appear with increasing frequency, forming part of the broader
rn of irregularities that developed as county operations drifted away from the
tory courthouse.

64540.8

CASS COUNTY COMMISSIONERS' COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

**February 9, 2015**

L PERSON
TINGS:
ARE HEREI
COUNTY,
COUNTY L
TROOM, S
CITY OF LI
ERS WILL

UNTY, TEXAS

IERS' COURT OF
8:30 A.M.,IN THE
E OF THE PEACE
IAY 8, NORTH, IN
THE FOLLOWING

BRETT FITTS
COMMISSIONER, PRECINCT 1

JON BORSETH
COMMISSIONER, PRECINCT 2

PAUL COTHREN
COMMISSIONER, PRECINCT 3

DARRELL GODWIN
COMMISSIONER, PRECINCT 4

ATTEST:
JAMIE A. O'RAND
CASS COUNTY CLERK

PAUL COTHREN
COMMISSIONER, PRECINCT 3

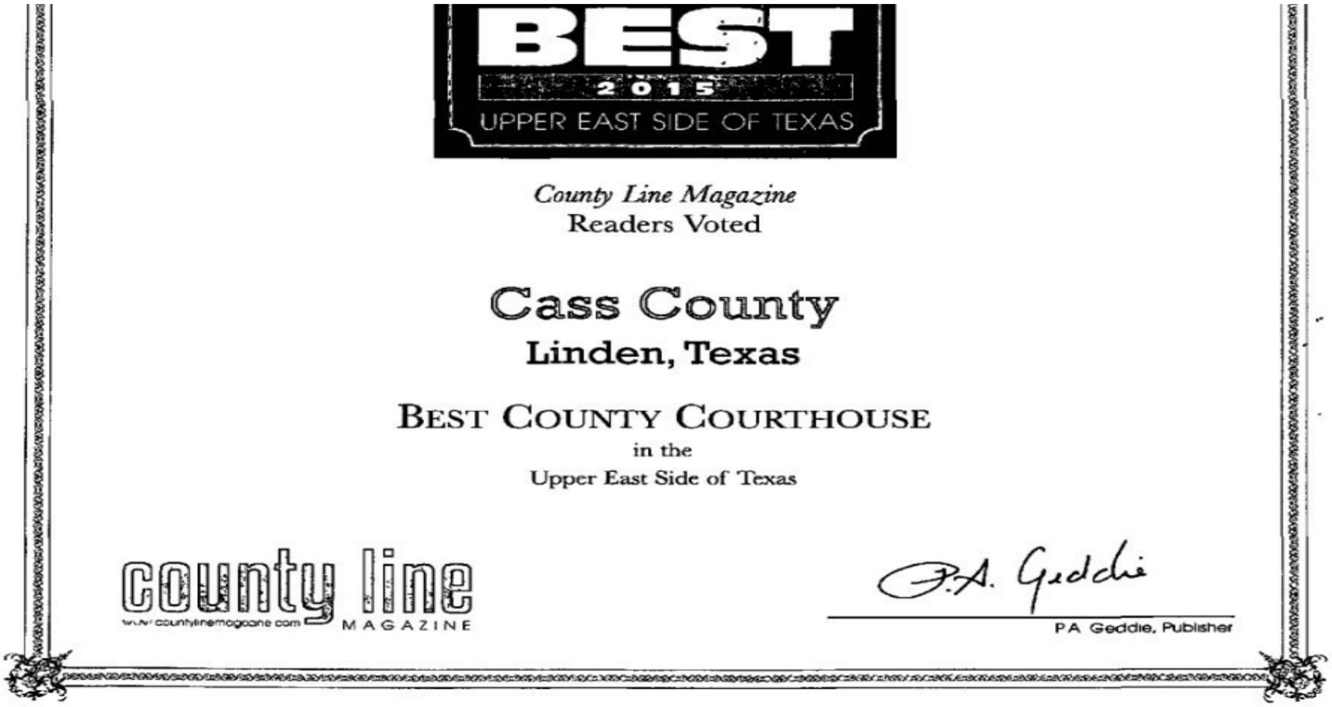
DARRELL GODWIN
COMMISSIONER, PRECINCT 4

ATTEST
JAMIE A. O'RAND
CASS COUNTY CLERK

# COMMISSIONER'S COURT MINUTES
## May 24, 2016
## REGULAR SESSION

REMEMBERED, that on this 24th day of May, 2016, the HONORABLE COMMISSIONER'S
T of Cass County, Texas met in REGULAR SESSION at the Law Enforcement and Justice Center
County in Linden, Texas after due notice had been posted on the 20th day of May, 2016, with
ONORABLE JUDGE BECKY WILBANKS present and presiding and with the followin
issioners being present

| | |
|---|---|
| Brett Fitts | Commissioner Pct 1 |
| Jon Borseth | Commissioner Pct 2 |
| Paul Cothren | Commissioner Pct 3 |
| Darrell Godwin | Commissioner Pct 4 |



BEST
2015
UPPER EAST SIDE OF TEXAS

*County Line Magazine*
Readers Voted

**Cass County**
**Linden, Texas**

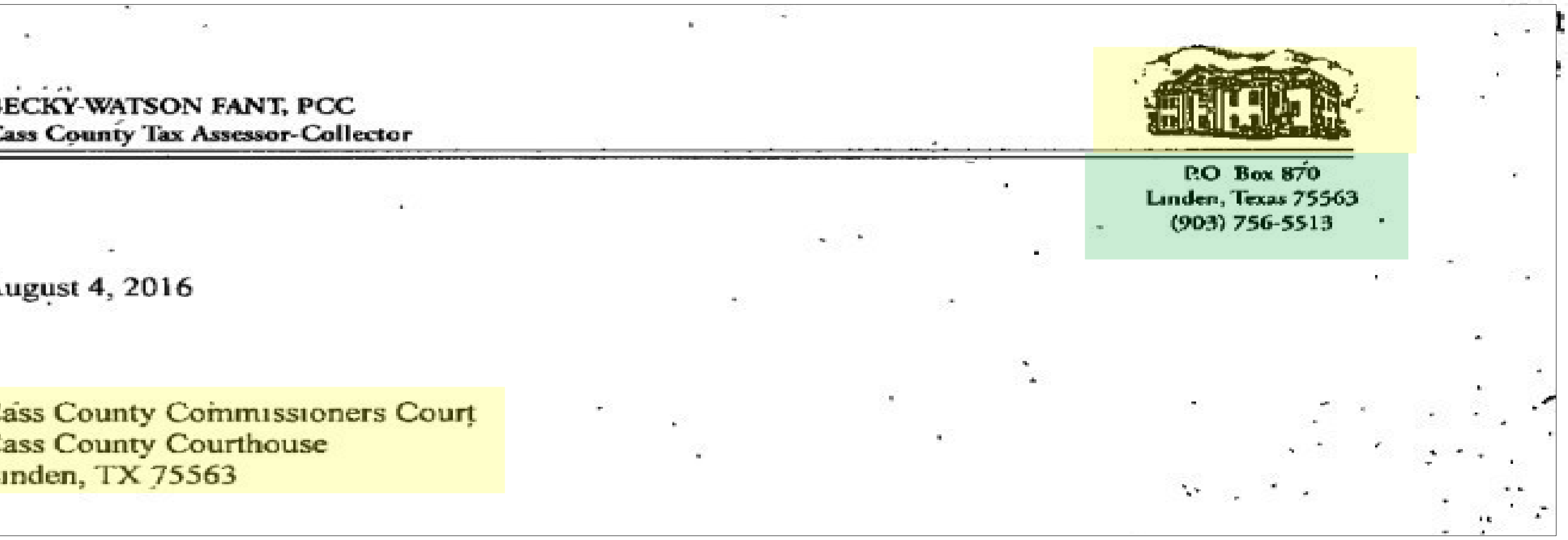
BEST COUNTY COURTHOUSE
in the
Upper East Side of Texas

county line
www.countylinemagazine.com
MAGAZINE

P.A. Geddie
PA Geddie, Publisher

# COMMISSIONERS COURT MINUTES
## August 23 2016
## REGULAR SESSION

**Item 2** On this 23rd day of August, 2016, certification of anticipated collections rate for FY 2015 was presented by Cass County Tax-Assessor Collector Becky Fant as a matter of record.



**ECKY-WATSON FANT, PCC**
ass County Tax Assessor-Collector

P.O Box 870
Linden, Texas 75563
(903) 756-5513

ugust 4, 2016

ass County Commissioners Court
ass County Courthouse
inden, TX 75563

APPROVED THIS THE 13 DAY OF September, 2016

BECKY WILBANKS
COUNTY JUDGE

BRETT FITTS
COMMISSIONER, PRECINCT 1

JON BORSETH
COMMISSIONER, PRECINCT 2

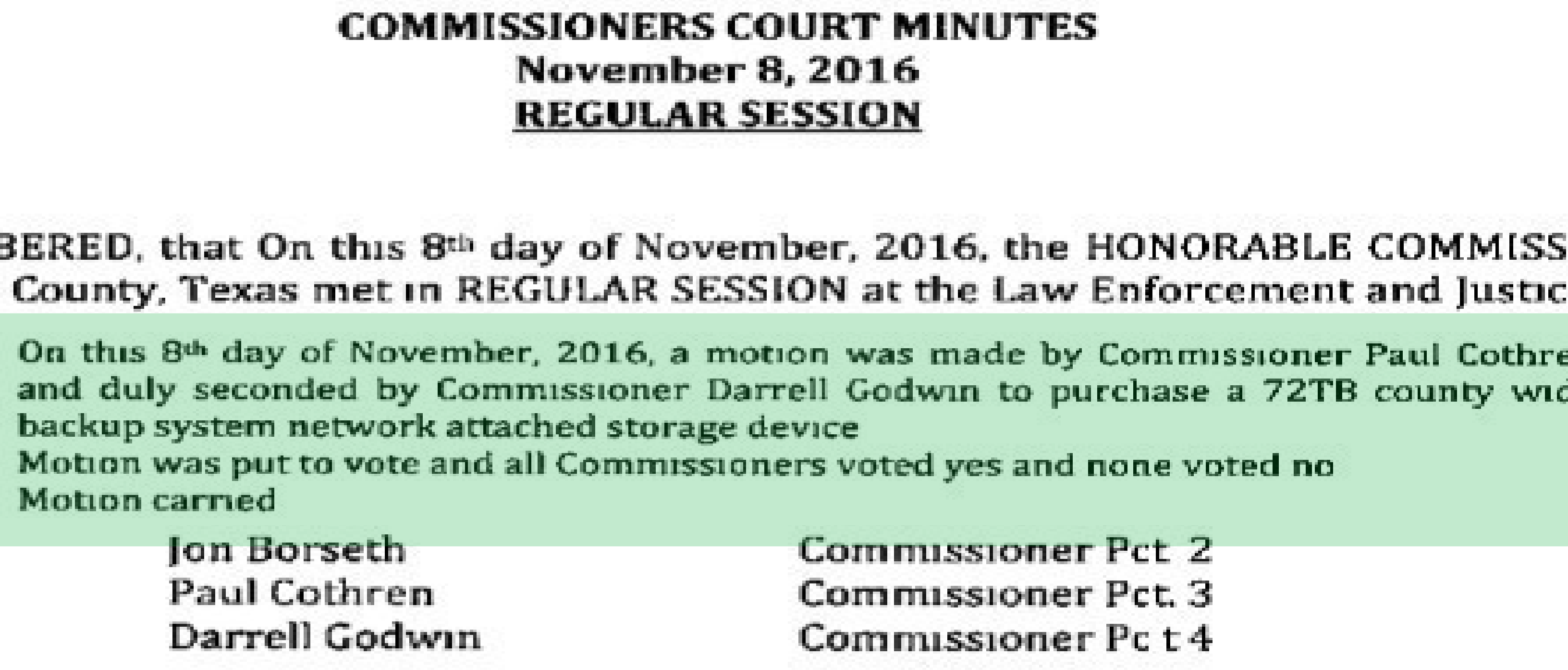
PAUL COTHREN
COMMISSIONER, PRECINCT 3

DARRELL GODWIN
COMMISSIONER, PRECINCT 4

ATTEST

JAMIE A O'RAND
CASS COUNTY CLERK

the county's work happens at the Justice Center. When an action would tie the
ack to the courthouse, the County Judge often does not sign, and over time
comes a steady pattern in the minutes.



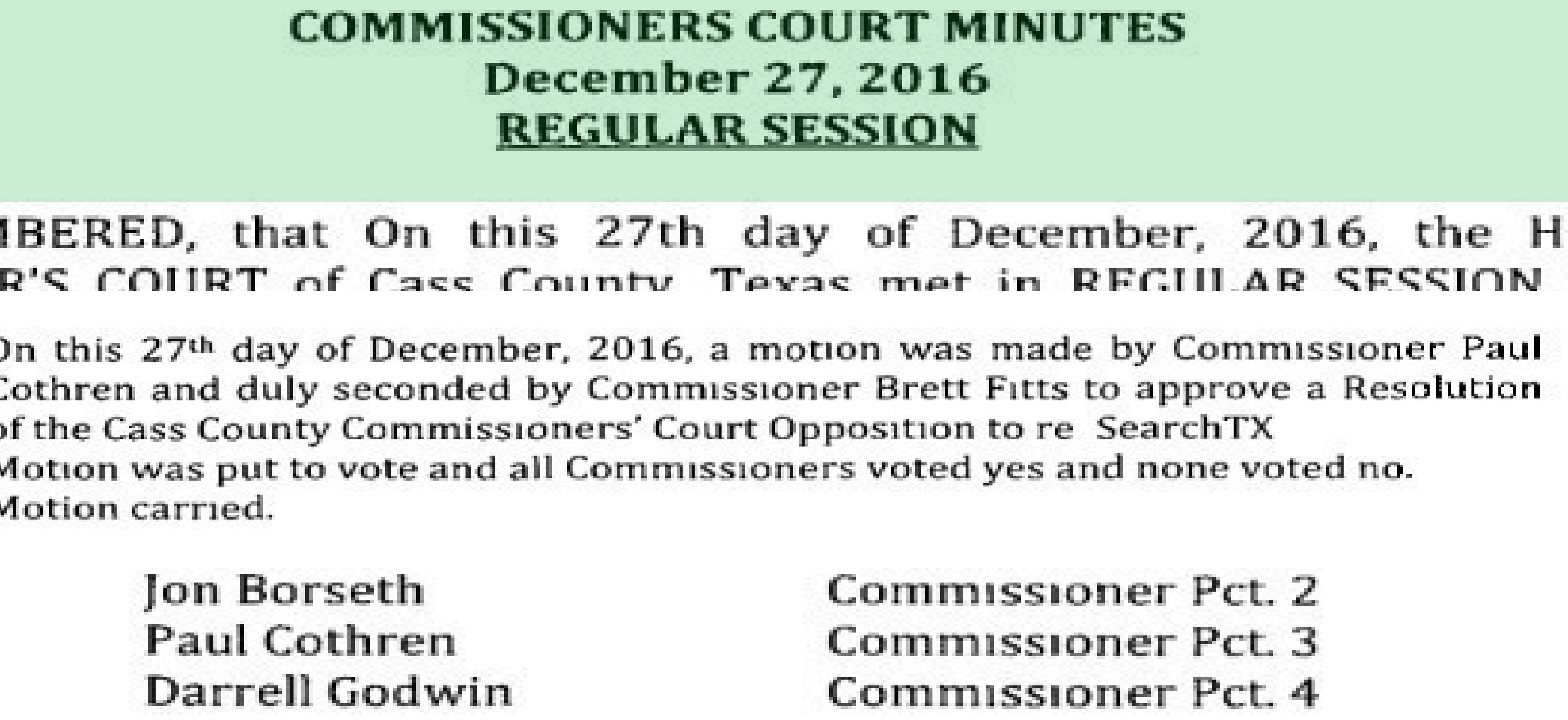
# COMMISSIONERS COURT MINUTES
## November 8, 2016
## REGULAR SESSION

BERED, that On this 8th day of November, 2016, the HONORABLE COMMISS
County, Texas met in REGULAR SESSION at the Law Enforcement and Justic

On this 8th day of November, 2016, a motion was made by Commissioner Paul Cothre
and duly seconded by Commissioner Darrell Godwin to purchase a 72TB county wid
backup system network attached storage device
Motion was put to vote and all Commissioners voted yes and none voted no
Motion carried

| | |
|---|---|
| Jon Borseth | Commissioner Pct 2 |
| Paul Cothren | Commissioner Pct. 3 |
| Darrell Godwin | Commissioner Pc t 4 |

ntry shows the County approving a seventy-two terabyte backup system for storing
records on the Justice Center network. The vote places judicial, financial, and
mental records in a digital location away from the courthouse, and the record reflects the
hen large portions of the county’s files began moving to the secondary site.



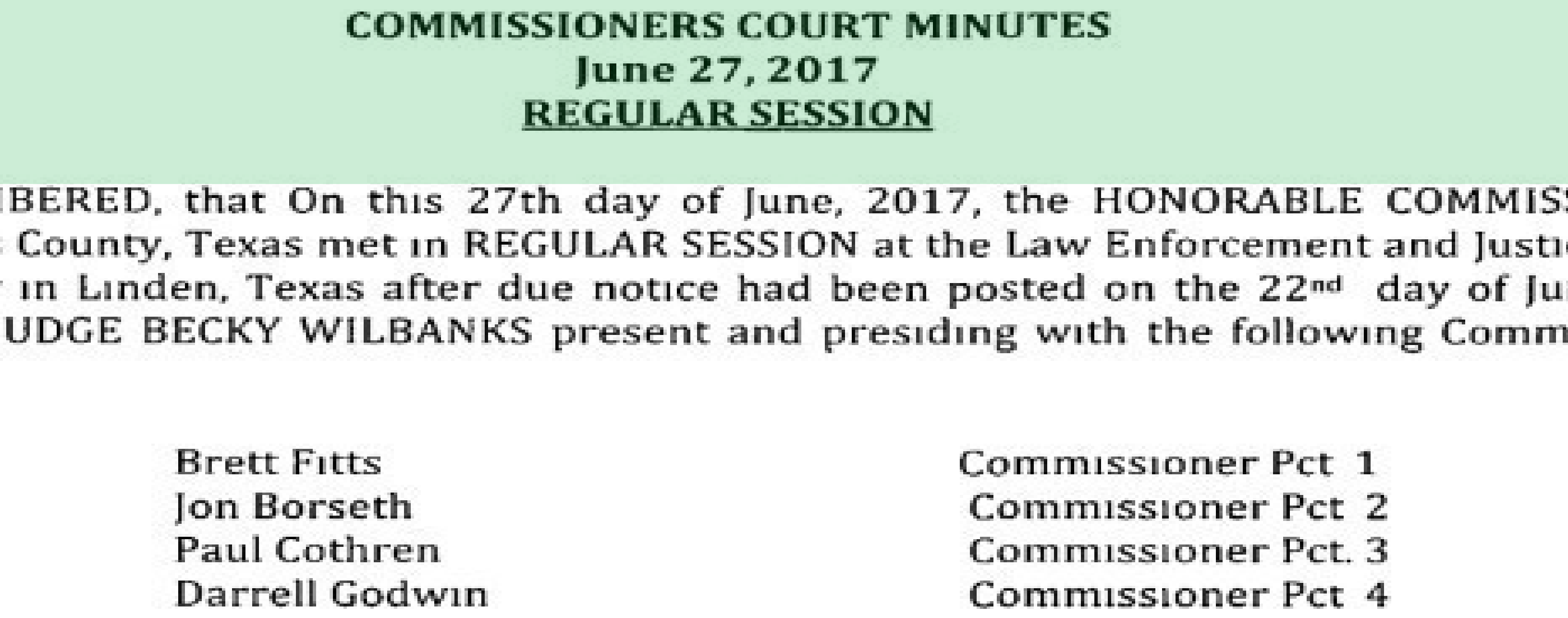
# COMMISSIONERS COURT MINUTES
## December 27, 2016
## REGULAR SESSION

MBERED, that On this 27th day of December, 2016, the H
R'S COURT of Cass County, Texas met in REGULAR SESSION

On this 27th day of December, 2016, a motion was made by Commissioner Paul Cothren and duly seconded by Commissioner Brett Fitts to approve a Resolution of the Cass County Commissioners' Court Opposition to re SearchTX
Motion was put to vote and all Commissioners voted yes and none voted no.
Motion carried.

| | |
|---|---|
| Jon Borseth | Commissioner Pct. 2 |
| Paul Cothren | Commissioner Pct. 3 |
| Darrell Godwin | Commissioner Pct. 4 |

try shows the Commissioners Court voting against participation in SearchTX, a system
es courthouse records and requires counties to upload their documents for state-level
The vote keeps Cass County's records inside the Justice Center network and the
-two-terabyte backup system approved earlier in the year.

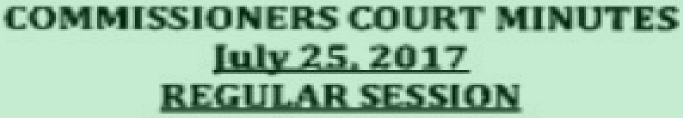


# COMMISSIONERS COURT MINUTES
## June 27, 2017
## REGULAR SESSION

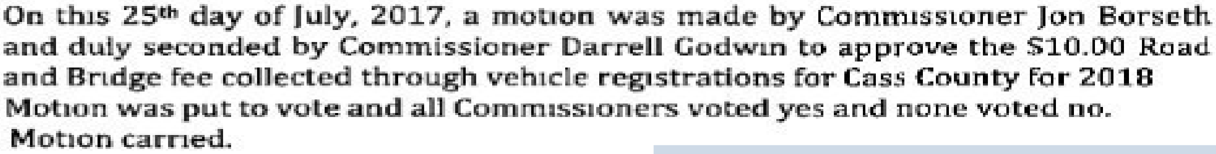
BERED, that On this 27th day of June, 2017, the HONORABLE COMMIS
County, Texas met in REGULAR SESSION at the Law Enforcement and Justi
in Linden, Texas after due notice had been posted on the 22nd day of Ju
UDGE BECKY WILBANKS present and presiding with the following Comm

| | |
|---|---|
| Brett Fitts | Commissioner Pct 1 |
| Jon Borseth | Commissioner Pct 2 |
| Paul Cothren | Commissioner Pct. 3 |
| Darrell Godwin | Commissioner Pct 4 |

le Technologies is approved as an expense for the County Clerk’s archive work, and the service
es a digital profile that lists 100 East Houston Street as the point of origin for county records.
profile supplies a continuous digital location for filings and timestamps at the same time the
nty is conducting its daily operations at the Justice Center.

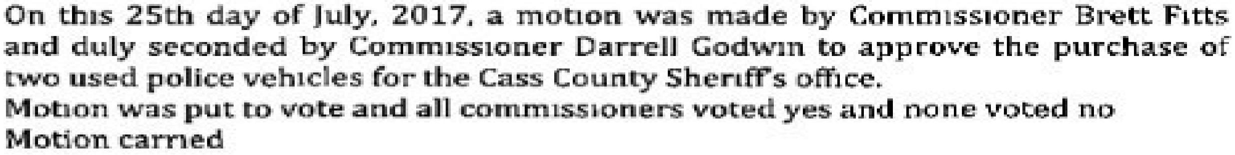


# COMMISSIONERS COURT MINUTES
## July 25, 2017
## REGULAR SESSION



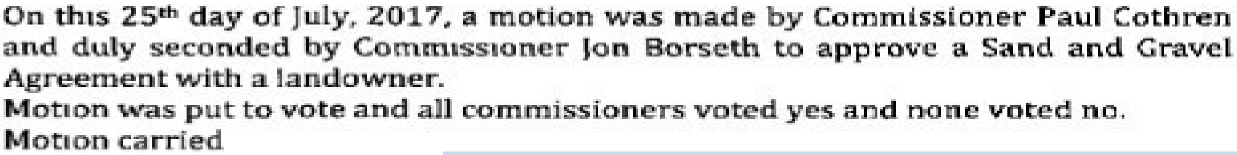
On this 25th day of July, 2017, a motion was made by Commissioner Jon Borseth and duly seconded by Commissioner Darrell Godwin to approve the $10.00 Road and Bridge fee collected through vehicle registrations for Cass County for 2018
Motion was put to vote and all Commissioners voted yes and none voted no.
Motion carried.

*They describe the act as a routine "motion to approve a fee," yet in substance they are exercising the county's taxing power, which legally triggers strict constitutional and statutory requirements.*



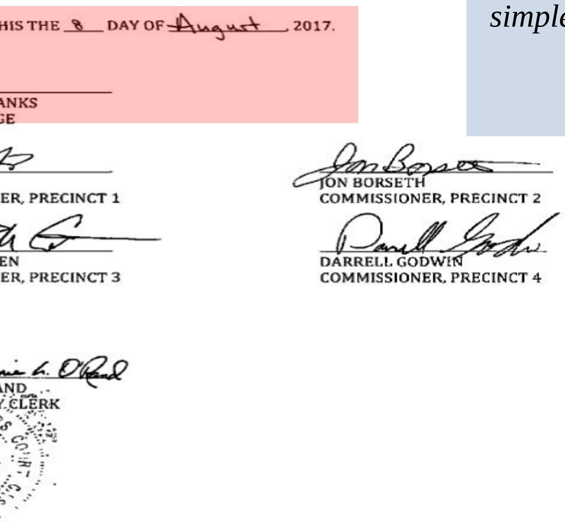
On this 25th day of July, 2017, a motion was made by Commissioner Brett Fitts and duly seconded by Commissioner Darrell Godwin to approve the purchase of two used police vehicles for the Cass County Sheriff's office.
Motion was put to vote and all commissioners voted yes and none voted no
Motion carried

*They portray this as a simple purchase, but they are actually exercising the county's law-enforcement funding and oversight power, which requires lawful authority, lawful venue, and compliance with statutory budget procedures...more*



On this 25th day of July, 2017, a motion was made by Commissioner Paul Cothren and duly seconded by Commissioner Jon Borseth to approve a Sand and Gravel Agreement with a landowner.
Motion was put to vote and all commissioners voted yes and none voted no.
Motion carried

*Item Eight disguises a land-use and infrastructure authority action as a simple contract approval, avoiding the statutory requirements that govern county extraction agreements and the need for a lawfully constituted Commissioners Court acting at a lawful county seat.*



HIS THE 8 DAY OF August , 2017.

ANKS
GE

ER, PRECINCT 1

JON BORSETH
COMMISSIONER, PRECINCT 2

EN
ER, PRECINCT 3

DARRELL GODWIN
COMMISSIONER, PRECINCT 4

AND
Y CLERK

These entries show the Commissioners Court approving fees, vehicle purchases, and a land-use agreement during a session held at the Justice Center. The record treats each action as routine business even though the meeting location differs from the courthouse listed in statutory references and digital profiles.

## I - CONCLUSION

ord from 2012 through 2017 shows county meetings, administrative actions, record decisions, and daily operations occurring at the Justice Center. The courthouse continues ar in state references and digital profiles, while routine governance takes place at the ry site.

inutes reflect changes in language, the use of administrative labels, and multiple nts signed by commissioners without a signature from the County Judge. The digital work and the seventy-two-terabyte backup system place county records inside the Justice network, and filings continue to list 100 East Houston Street as the point of origin.

uments in this period show two locations operating at the same time: the courthouse as rence point in state systems, and the Justice Center as the place where the Commissioners onducts its work.

# PART 3

## 2023 -2025

## SIX YEARS LATER

# CASS COUNTY COMMISSIONERS' COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

## JANUARY 24, 2023
## REGULAR SESSION

**SIDER AND TAKE APPROPRIATE ACTION REGARDING APPROVAL OF BONDS FOR EMIT RANDY KENNEDY ONSTABLE PCT 2 AND EVELYN CHARLESTON AND CINDY WATERS AS DEPUTY COUNTY CLERKS**

missioner Fitts made the motion to approve the minutes the bond of Emit Randy Kennedy as Constable , and the bonds of Evelyn Charleston and Cindy Waters as Deputy County Clerks. Seconded by missioner Godwin. All voted yes.

**CATED AT 604 HIGHWAY 8, NORTH, IN THE CITY OF LINDEN, CASS COUNTY, TEXAS, WHICH TIME AND PROPRIATE ACTION TAKEN:**

*Six years later, the rhetoric shifts into a new form. "Consider and Take Appropriate Action" reframes a judicial act as routine business. The approval of officer and deputy clerk bonds is a Judicial Recognition Act, not a motion.*

**SIDER AND TAKE APPROPRIATE ACTION REGARDING APPROVAL OF A RESOLUTION FOR SUBMISSION GRANT APPLICATION FOR THE "HAND-HELD RADIO REPLACEMENT PROJECT" BY THE CASS COUNTY IFF'S OFFICE**

nissioner Cothren made the motion to approve a resolution for submission of a grant application for the d-Held Radio Replacement Project" by the Cass County Sheriff's Office. Seconded by Commissioner vin. All voted yes.

*The Commissioners Court submits the grant on behalf of the Sheriff, and the process uses 100 East Houston as the county's established point of identity. The request passes through the courthouse designation because that address carries the county's governmental origin.*

OVED THIS THE 20 DAY OF Jan, 2023.

AVIS RANSOM
TY JUDGE

FITTS
MISSIONER, PRECINCT 1

KEVIN YOUNG
COMMISSIONER, PRECINCT 2

COTHREN
MISSIONER, PRECINCT 3

DARRELL GODWIN
COMMISSIONER, PRECINCT 4

:

L. VARNELL
COUNTY CLERK

# CASS COUNTY COMMISSIONERS' COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

## FEBRUARY 14, 2023
## REGULAR SESSION

**AMENDED ON THIS THE 14TH DAY OF FEBRUARY, 2023.**
**(Amended Article III to add subsection A and B)**
**(Amended Article IV to reflect reasonable accommodations regarding interpreters)**
**(Amended/inserted new Article V)**
**(Amended/inserted new Article VII with subsections A, B, C, D, and E)**

**VIII.** Special Rules for the Press and Media:

A. No media personnel or equipment, including lights, cameras or microphones will be located on the Commissioners' Court bench nor closer than five feet (5') in from of the Commissioners' Court bench.

B. Reporters and media technicians are required to structure their movements, equipment set-up and take-down and adjustments, etc. in such a manner as to not disrupt the Commissioners' Court deliberations or the ability of the public to see, hear and participate in the proceedings.

C. Interviews shall not be conducted inside the Commissioners' Courtroom during the time the Court is in session.

D. Media interviews which are conducted outside the Commissioners' Courtroom should be conducted in such a manner that the interview does not disturb, impede or disrupt the proceedings of and Regular, Special, Emergency and/or Executive Session Meeting of the Court.

**IX.** The Sheriff of Cass County, Texas, or his designated deputy, shall serve as the Bailiff at all Regular, Special and Emergency Meetings of the Court. However, in the event of the absence of the Sheriff, or in the event that there exists a conflict of interest between the Sheriff, any member of the Sheriff's Department, and the Commissioners' Court, or in the event of an Executive Session of the Court in which the Sheriff is not an authorized participant, then in such event, the Court shall appoint such other commissioned peace officers to serve as Bailiff as may be necessary.

**X.** From time to time, the Commissioners' Court shall conduct town meetings and public hearings. These rules of procedure, conduct and decorum shall also apply to such town meetings and public hearings, however, the Commissioners' Court may adopt such additional and supplemental rules for such meetings as may be necessary and appropriate to conduct such meetings in an orderly, efficient and proper manner.

**XI.** These Rules of Procedure, Conduct and Decorum at Meetings of the Cass County Commissioners' Court shall be effective immediately upon adoption by the Court and shall remain in full force and effect until amended or repealed by a majority vote of the Commissioners' Court. These Rules may be temporarily suspended by majority vote of the Court in a manner that does not conflict with the Texas Open Meetings Act.

s in this document outline requirements commonly associated with District Court proceedings,
g equipment control, media restrictions, sheriff supervision, bailiff duties, decorum standards, and
nt instructions. These elements appear in the minutes as the operating procedures for the Justice Center
ed for Commissioners Court sessions.

April 6, 2023
WORKSHOP

TO ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS, GREETINGS:

YOU ARE HEREBY NOTIFIED THAT A WORKSHOP WILL CONVENE ON THURSDAY, APRIL 6, 2023 AT 8:30 A.M. IN THE **COUNTY JUDGE'S OFFICE** LOCATED ON THE FIRST FLOOR OF THE CASS COUNTY LAW ENFORCEMENT AND JUSTICE CENTER BUILDING, IN THE CITY OF LINDEN, TEXAS, COUNTY OF CASS.

APPROVED THIS THE 25 DAY OF April, 2023.

R. TRAVIS RANSOM
COUNTY JUDGE

BRETT FITTS
COMMISSIONER, PRECINCT 1

KEVIN YOUNG
COMMISSIONER, PRECINCT 2

PAUL COTHREN
COMMISSIONER, PRECINCT 3

Darrell Godwin
DARRELL GODWIN
COMMISSIONER, PRECINCT 4

Attest:
Amy L Varnell
AMY L. VARNELL
CASS COUNTY CLERK

---

**CASS COUNTY COMMISSIONERS' COURT**
**604 HIGHWAY 8, NORTH**
**LINDEN, TEXAS**

**APRIL 11, 2023**
**REGULAR SESSION**

FILED FOR RE
2023 APR -6 P

APPROVED THIS THE 25 DAY OF April, 2023.

R. TRAVIS RANSOM
COUNTY JUDGE

BRETT FITTS
COMMISSIONER, PRECINCT 1

KEVIN YOUNG
COMMISSIONER, PRECINCT 2

PAUL COTHREN
COMMISSIONER, PRECINCT 3

Darrell Godwin
DARRELL GODWIN
COMMISSIONER, PRECINCT 4

Attest:
Amy L Varnell
AMY L. VARNELL
CASS COUNTY CLERK

June 1, 2023
WORKSHOP

TO ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS,
GREETINGS:

YOU ARE HEREBY NOTIFIED THAT A WORKSHOP WILL CONVENE ON THURSDAY, JUNE 1, 2023 AT 8:30 A.M. IN THE **COUNTY JUDGE'S OFFICE** LOCATED ON THE FIRST FLOOR OF THE CASS COUNTY LAW ENFORCEMENT AND JUSTICE CENTER BUILDING, IN THE CITY OF LINDEN, TEXAS, COUNTY OF CASS.

## COURT ANNOUCEMENTS

Commissioner Young gave an update on one of his employees' children who were involved in an automobile accident.

Commissioner Cothren stated the deadline to get milling on the river is end of July. Commissioner Cothren also stated the entire $14,000 in grant funds won't be spent on the tire disposal program and suggested the remainder of funds be spent for trash disposal from the dumpsters at the county barns.

Auditor Jim Loomis he will have budget information ready to present at the upcoming budget workshops.

Judge Ransom presented the restored Preemption Certificate record book that was restored.

APPROVED THIS THE 20 DAY OF June, 2023.

R. TRAVIS RANSOM
COUNTY JUDGE

BRETT FITTS
COMMISSIONER, PRECINCT 1

KEVIN YOUNG
COMMISSIONER, PRECINCT 2

PAUL COTHREN
COMMISSIONER, PRECINCT 3

DARRELL GODWIN
COMMISSIONER, PRECINCT 4

Attest:
Amy L Varnell
AMY L. VARNELL
CASS COUNTY CLERK

# CASS COUNTY COMMISSIONERS' COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

## JUNE 6, 2023
## REGULAR SESSION AMENDED

FILED FOR RECORD
2023 JUN -2 AM 8:31
AMY L. VARNELL
CASS COUNTY CLERK

I certify that the above notice of meeting is a true and correct copy of said notice, and that same was posted on the bulletin board and on the north door of the North Building of the Cass County Law Enforcement and Justice Center Building, a place readily accessible to the general public at all times, on or before Friday, June 2, 2023 in accordance with Texas Government Code Chapter 551.

Posted: June 2, 2023

By: Karen Brown

APPROVED THIS THE 20 DAY OF June, 2023.

R. TRAVIS RANSOM
COUNTY JUDGE

BRETT FITTS
COMMISSIONER, PRECINCT 1

KEVIN YOUNG
COMMISSIONER, PRECINCT 2

PAUL COTHREN
COMMISSIONER, PRECINCT 3

Darrell Godwin
DARRELL GODWIN
COMMISSIONER, PRECINCT 4

Attest:
Amy L Varnell
AMY L. VARNELL
CASS COUNTY CLERK

## CASS COUNTY COMMISSIONERS' COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

**JUNE 20, 2023**
**REGULAR SESSION**

LED FOR RECORD
JUN 16 A 8:22
CASS COUNTY CLERK

CASS COUNTY JUDGE 08:25:31 a.m. 06-16-2023 2 /3

E OF CASS

OF THE
NVENE ON
RCEMENT
URTROOM,
, NORTH, IN
PLACE THE
TE ACTION

5. Matter of Record: Letter of recommendation from Brandon S. Wood, Executive Director of Texas Commission on Jail Standards.

### REGULAR AGENDA

1. Consider and take appropriate action regarding the Application to Dig in County R.O.W. on CR 2342 in Marietta, TX.
2. Consider and take appropriate action regarding approval of the Disaster Declaration signed by Judge Ransom on June 15, 2023.
3. Consider and take appropriate action regarding selecting a plan for the TAC HEBP 2023-2024 renewal. Presented by Treasurer Melissa Shores.
4. Consider and take appropriate action regarding hiring an Assistant Veteran Service Officer funded through the Texas Veterans commission grant.
5. Matter of Record: Auditor's report for May 2023; Consider and take appropriate action regarding approval of the County Auditor's financial report and approval of expenses. Presented by Auditor Jim Loomis.
6. Potential Executive Session pursuant to Government Code 551.071 and 551.101; consultation with attorney.
7. Exit Executive Session pursuant to Government Code 551.102.
8. Court Announcements

**. ADJOURNMENT**

**: Cass County Commissioners Court reserves the right to conduct closed meetings on enda item in accordance with 551.071 – 551.076 of the Texas Government Code.**

**Respectfully,**

R. Travis Ransom

**R. TRAVIS RANSOM**
**CASS COUNTY JUDGE**

APPROVED THIS THE 11 DAY OF July, 2023.

R. TRAVIS RANSOM
COUNTY JUDGE

BRETT FITTS
COMMISSIONER, PRECINCT 1

KEVIN YOUNG
COMMISSIONER, PRECINCT 2

PAUL COTHREN
COMMISSIONER, PRECINCT 3

Darrell Godwin

DARRELL GODWIN
COMMISSIONER, PRECINCT 4

Attest:

Amy L Varnell

AMY L. VARNELL
CASS COUNTY CLERK

, 2023

**ISSIONERS' COURT WORKSHOP**

issioners' Court of Cass County held a workshop on July 6, 2023 at 8:30 a.m. with the following court
ers present: County Judge Travis Ransom, Commissioner Precinct 1 Brett Fitts, Commissioner Precinct 2
Young, Commissioner Precinct 3 Paul Cothren and Commissioner Precinct 4 Darrell Godwin.

**ION AGENDA**

**S REPUBLICAN PARTY ELECTION JUDGES FOR 2023**

**S THE REGIONAL PUBLIC DEFENDER FOR CAPITAL CASES**

**S FY 2023-2024 BUDGET**

**ANNOUCEMENTS**

t announcements.

**RNMENT**

rkshop adjourned at 12:20 p.m.

Discussion meetings are safe and receive signatures.

Judicial-duty meetings are unsafe and remain unsigned.

Signatures appear only on minutes that do not require venue.

APPROVED THIS THE 25 DAY OF July, 2023.

R. TRAVIS RANSOM
COUNTY JUDGE

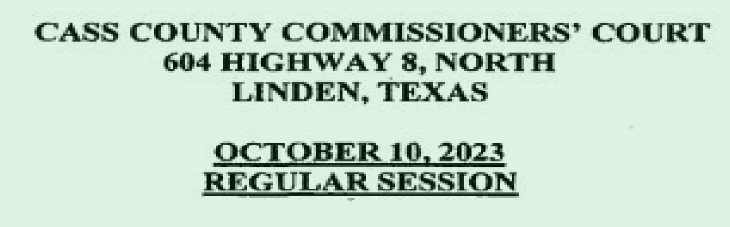
BRETT FITTS
COMMISSIONER, PRECINCT 1

KEVIN YOUNG
COMMISSIONER, PRECINCT 2

PAUL COTHREN
COMMISSIONER, PRECINCT 3

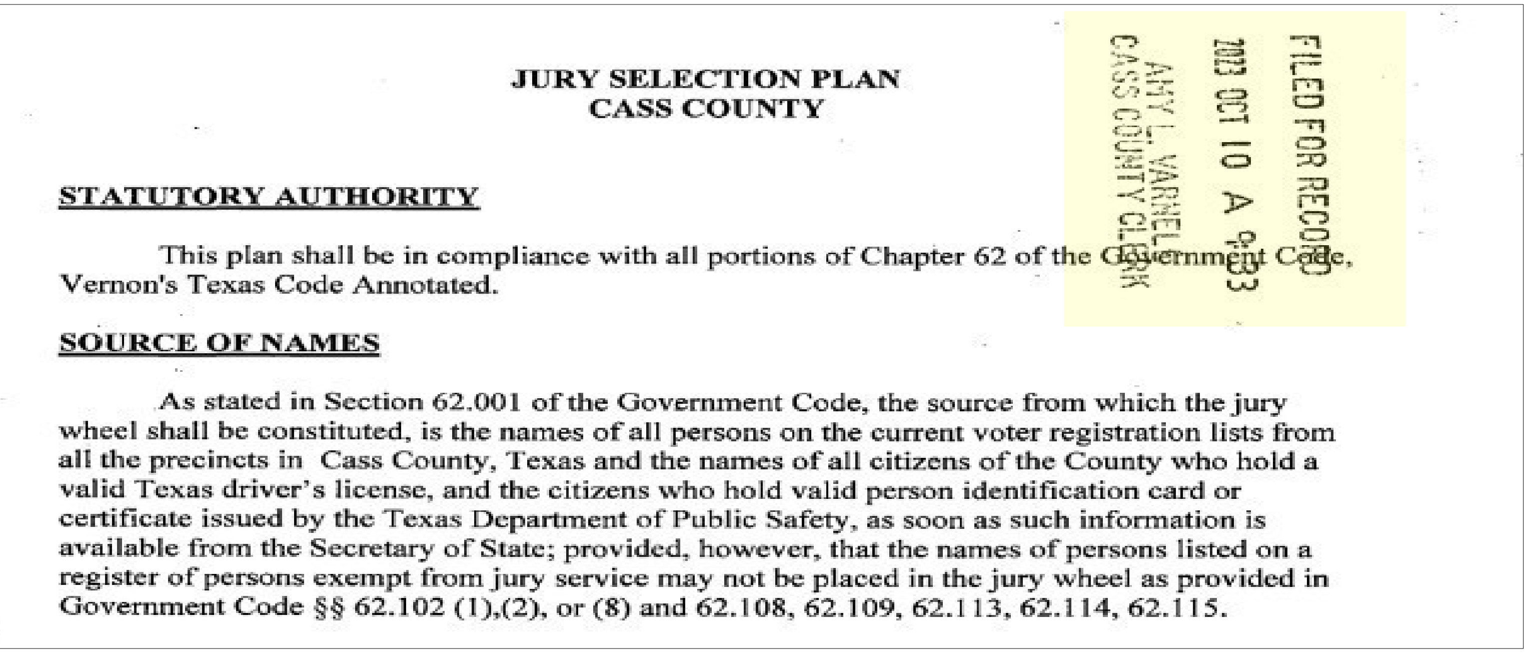
DARRELL GODWIN
COMMISSIONER, PRECINCT 4

Attest:
Amy L Varnell
AMY L. VARNELL
CASS COUNTY CLERK



**CASS COUNTY COMMISSIONERS' COURT**
**604 HIGHWAY 8, NORTH**
**LINDEN, TEXAS**

**OCTOBER 10, 2023**
**REGULAR SESSION**



## JURY SELECTION PLAN
## CASS COUNTY

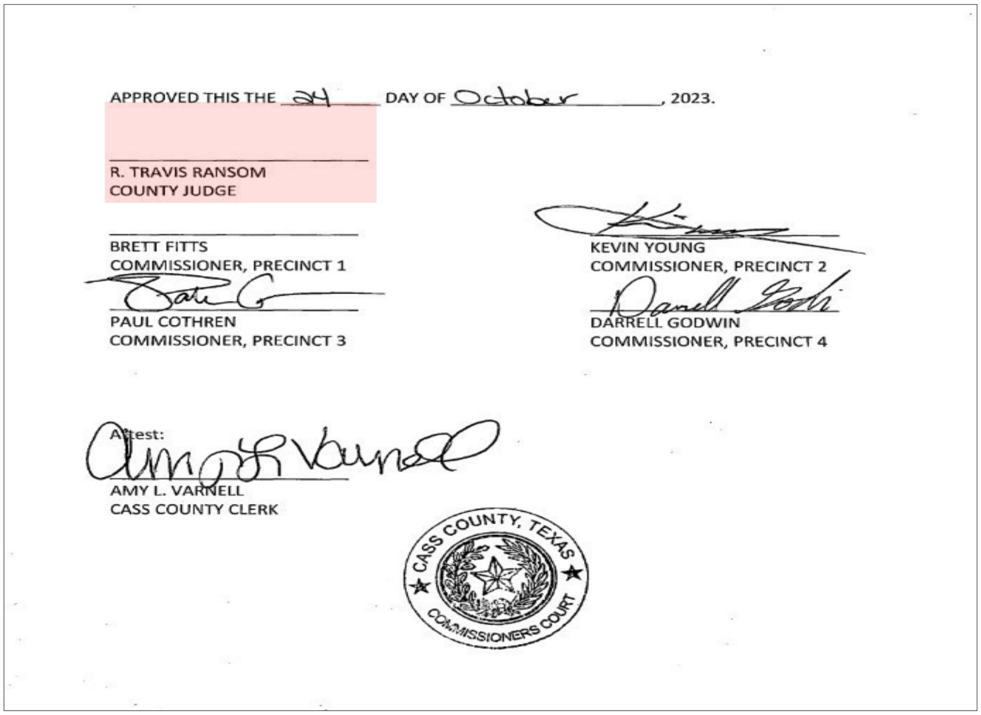
### STATUTORY AUTHORITY

This plan shall be in compliance with all portions of Chapter 62 of the Government Code, Vernon's Texas Code Annotated.

### SOURCE OF NAMES

As stated in Section 62.001 of the Government Code, the source from which the jury wheel shall be constituted, is the names of all persons on the current voter registration lists from all the precincts in Cass County, Texas and the names of all citizens of the County who hold a valid Texas driver's license, and the citizens who hold valid person identification card or certificate issued by the Texas Department of Public Safety, as soon as such information is available from the Secretary of State; provided, however, that the names of persons listed on a register of persons exempt from jury service may not be placed in the jury wheel as provided in Government Code §§ 62.102 (1),(2), or (8) and 62.108, 62.109, 62.113, 62.114, 62.115.

FILED FOR RECORD
2023 OCT 10 A 9:33
AMY L. VARNELL
CASS COUNTY CLERK



APPROVED THIS THE 24 DAY OF October, 2023.

R. TRAVIS RANSOM
COUNTY JUDGE

BRETT FITTS
COMMISSIONER, PRECINCT 1

KEVIN YOUNG
COMMISSIONER, PRECINCT 2

PAUL COTHREN
COMMISSIONER, PRECINCT 3

DARRELL GODWIN
COMMISSIONER, PRECINCT 4

Attest:

AMY L. VARNELL
CASS COUNTY CLERK

**CASS COUNTY COMMISSIONERS' COURT**
**604 HIGHWAY 8, NORTH**
**LINDEN, TEXAS**

**OCTOBER 24, 2023**
**REGULAR SESSION**

# RESOLUTION AUTHORIZING COUNTY GRANT

## PROGRAM YEAR 2024

A resolution of the County of Cass (County)Texas certifying that the County has made a grant to Senior Citizens Services of Texarkana, Inc. (*Organization*), an organization that provides home-delivered meals to homebound persons in the County who are elderly and/or have a disability, and certifying that the County has approved the Organization's accounting system or fiscal agent.

Whereas, the Organization seeks to apply for grant funds from the Texas Department of Agriculture to supplement and extend existing services for homebound persons in the County who are elderly and/or have a disability pursuant to the Home-Delivered Meal Grant Program (Program);

Whereas, the Program rules require the County in which an Organization is providing home-delivered meal services to make a grant to the Organization in order for the Organization to be eligible to receive Program grant fund; and

Whereas, the Program rules further require the County approve the Organization's accounting system or fiscal agent in order for the Organization to be eligible to receive Program grant funds;

**Be It Resolved by The County:**

SECTION 1: The County hereby certifies that it has made a grant to the Organization in the amount of $2,194.25 to be used between the:

1st of October 2023 and the 30th of September 2024

SECTION 2: The County hereby certifies that the Organization provides home-delivered meals to homebound persons in the County who are elderly and/or have a disability.

SECTION 3: The County hereby certifies that it has approved the Organization's accounting system or fiscal agent which meets financial management system requirements as set forth in the Texas Grant Management Standards promulgated by the Texas Comptroller of Public Accounts.

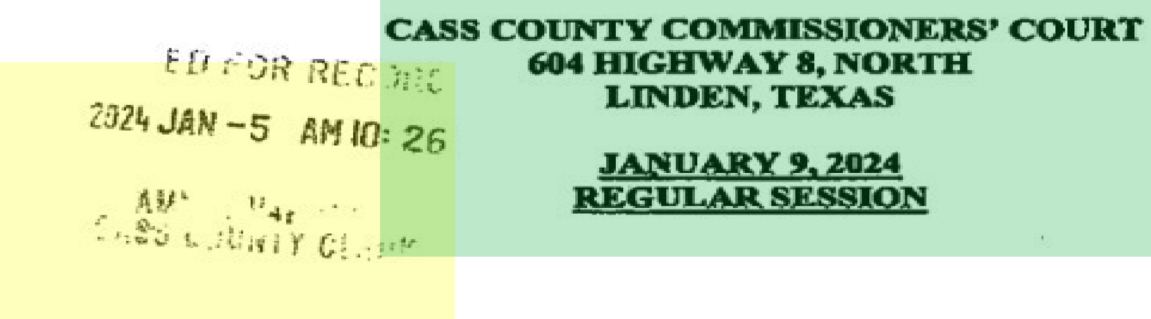
Introduced, read, and passed by the affirmative vote of the County on this 24th day of October, 2023.

County Judge

Amy L Varnell
County Clerk

10/24/23
Date

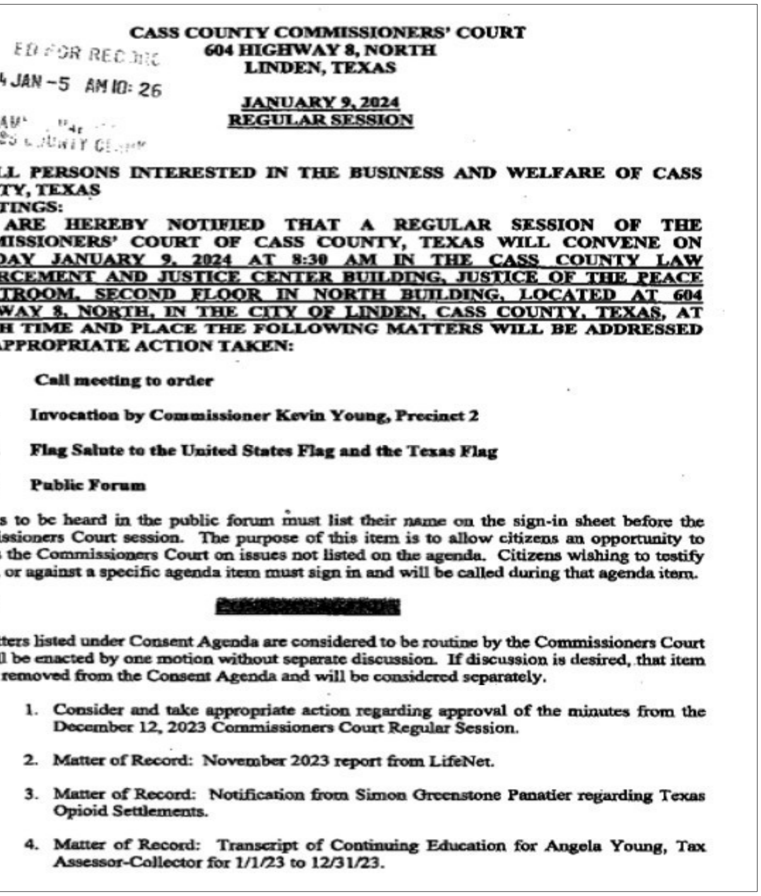
FILED FOR RECORD
2023 OCT 24 P 3 33
AMY L. VARNELL
CASS COUNTY CLERK



ED FOR REC
2024 JAN -5 AM 10: 26
CASS COUNTY CL

## CASS COUNTY COMMISSIONERS' COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

**JANUARY 9, 2024**
**REGULAR SESSION**



CASS COUNTY COMMISSIONERS' COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

ED FOR REC
4 JAN -5 AM 10: 26

JANUARY 9, 2024
REGULAR SESSION

**LL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS TY, TEXAS**
**TINGS:**
**ARE HEREBY NOTIFIED THAT A REGULAR SESSION OF THE MISSIONERS' COURT OF CASS COUNTY, TEXAS WILL CONVENE ON DAY JANUARY 9, 2024 AT 8:30 AM IN THE CASS COUNTY LAW RCEMENT AND JUSTICE CENTER BUILDING, JUSTICE OF THE PEACE TROOM, SECOND FLOOR IN NORTH BUILDING, LOCATED AT 604 WAY 8, NORTH, IN THE CITY OF LINDEN, CASS COUNTY, TEXAS, AT H TIME AND PLACE THE FOLLOWING MATTERS WILL BE ADDRESSED APPROPRIATE ACTION TAKEN:**

**Call meeting to order**

**Invocation by Commissioner Kevin Young, Precinct 2**

**Flag Salute to the United States Flag and the Texas Flag**

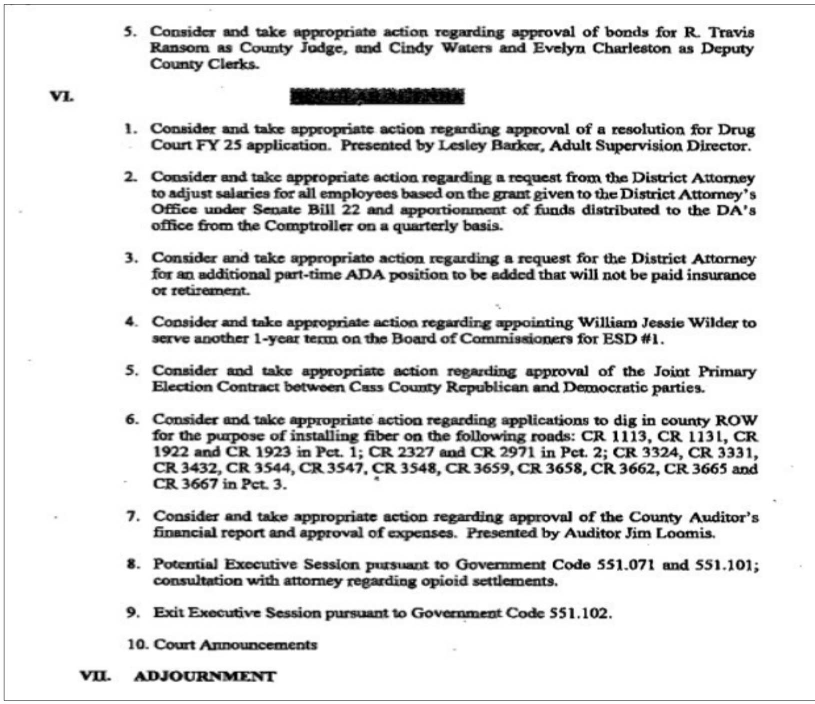
**Public Forum**

s to be heard in the public forum must list their name on the sign-in sheet before the issioners Court session. The purpose of this item is to allow citizens an opportunity to the Commissioners Court on issues not listed on the agenda. Citizens wishing to testify or against a specific agenda item must sign in and will be called during that agenda item.

[redacted]

ters listed under Consent Agenda are considered to be routine by the Commissioners Court l be enacted by one motion without separate discussion. If discussion is desired, that item removed from the Consent Agenda and will be considered separately.

1. Consider and take appropriate action regarding approval of the minutes from the December 12, 2023 Commissioners Court Regular Session.
2. Matter of Record: November 2023 report from LifeNet.
3. Matter of Record: Notification from Simon Greenstone Panatier regarding Texas Opioid Settlements.
4. Matter of Record: Transcript of Continuing Education for Angela Young, Tax Assessor-Collector for 1/1/23 to 12/31/23.



5. Consider and take appropriate action regarding approval of bonds for R. Travis Ransom as County Judge, and Cindy Waters and Evelyn Charleston as Deputy County Clerks.

**VI.** [redacted]

1. Consider and take appropriate action regarding approval of a resolution for Drug Court FY 25 application. Presented by Lesley Barker, Adult Supervision Director.
2. Consider and take appropriate action regarding a request from the District Attorney to adjust salaries for all employees based on the grant given to the District Attorney's Office under Senate Bill 22 and apportionment of funds distributed to the DA's office from the Comptroller on a quarterly basis.
3. Consider and take appropriate action regarding a request for the District Attorney for an additional part-time ADA position to be added that will not be paid insurance or retirement.
4. Consider and take appropriate action regarding appointing William Jessie Wilder to serve another 1-year term on the Board of Commissioners for ESD #1.
5. Consider and take appropriate action regarding approval of the Joint Primary Election Contract between Cass County Republican and Democratic parties.
6. Consider and take appropriate action regarding applications to dig in county ROW for the purpose of installing fiber on the following roads: CR 1113, CR 1131, CR 1922 and CR 1923 in Pct. 1; CR 2327 and CR 2971 in Pct. 2; CR 3324, CR 3331, CR 3432, CR 3544, CR 3547, CR 3548, CR 3659, CR 3658, CR 3662, CR 3665 and CR 3667 in Pct. 3.
7. Consider and take appropriate action regarding approval of the County Auditor's financial report and approval of expenses. Presented by Auditor Jim Loomis.
8. Potential Executive Session pursuant to Government Code 551.071 and 551.101; consultation with attorney regarding opioid settlements.
9. Exit Executive Session pursuant to Government Code 551.102.
10. Court Announcements

**VII. ADJOURNMENT**

2024 marks the first time Cass County used the black line on its agenda. Item V ly contains the legally binding portion of the meeting where the Court exercises ction, property authority, and courthouse-level functions. When the County blacks he Item V header, the action converts the legal code of that section into strative code. The blackout appears to conceal content, but its true effect is to the State's judicial oversight function by stripping the section of its legal cation and forcing all listed items to default to administrative discussion.

## CASS COUNTY COMMISSIONERS' COURT
## 604 HIGHWAY 8, NORTH
## LINDEN, TEXAS

## JANUARY 23, 2024
## REGULAR SESSION

JAN 19 AM

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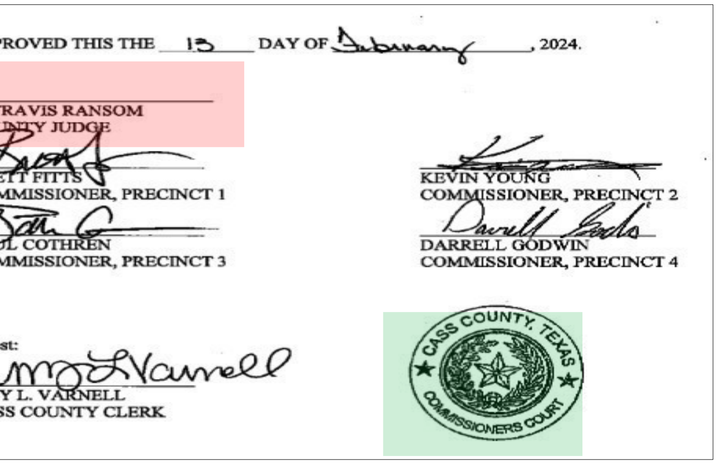

PROVED THIS THE 13 DAY OF February, 2024.

RAVIS RANSOM
NTY JUDGE

ETT FITTS
MMISSIONER, PRECINCT 1

KEVIN YOUNG
COMMISSIONER, PRECINCT 2

L COTHREN
MMISSIONER, PRECINCT 3

Darrell Godwin
DARRELL GODWIN
COMMISSIONER, PRECINCT 4

st:

Varnell
Y L. VARNELL
SS COUNTY CLERK

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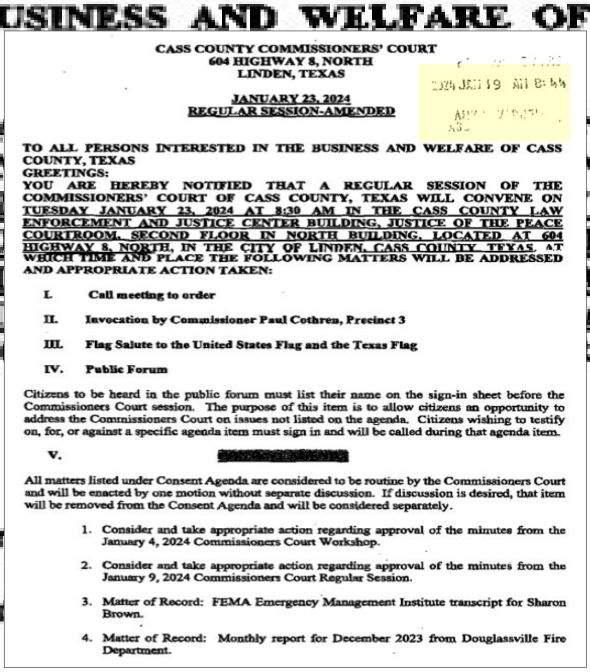

CASS COUNTY COMMISSIONERS' COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

JANUARY 23, 2024
REGULAR SESSION-AMENDED

2024 JAN 19 AM 8:44

TO ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS
GREETINGS:
YOU ARE HEREBY NOTIFIED THAT A REGULAR SESSION OF THE COMMISSIONERS' COURT OF CASS COUNTY, TEXAS WILL CONVENE ON TUESDAY JANUARY 23, 2024 AT 8:30 AM IN THE CASS COUNTY LAW ENFORCEMENT AND JUSTICE CENTER BUILDING, JUSTICE OF THE PEACE COURTROOM, SECOND FLOOR IN NORTH BUILDING, LOCATED AT 604 HIGHWAY 8, NORTH, IN THE CITY OF LINDEN, CASS COUNTY TEXAS, AT WHICH TIME AND PLACE THE FOLLOWING MATTERS WILL BE ADDRESSED AND APPROPRIATE ACTION TAKEN:

I. **Call meeting to order**

II. **Invocation by Commissioner Paul Cothren, Precinct 3**

III. **Flag Salute to the United States Flag and the Texas Flag**

IV. **Public Forum**

Citizens to be heard in the public forum must list their name on the sign-in sheet before the Commissioners Court session. The purpose of this item is to allow citizens an opportunity to address the Commissioners Court on issues not listed on the agenda. Citizens wishing to testify on, for, or against a specific agenda item must sign in and will be called during that agenda item.

V. [redacted]

All matters listed under Consent Agenda are considered to be routine by the Commissioners Court and will be enacted by one motion without separate discussion. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

1. Consider and take appropriate action regarding approval of the minutes from the January 4, 2024 Commissioners Court Workshop.
2. Consider and take appropriate action regarding approval of the minutes from the January 9, 2024 Commissioners Court Regular Session.
3. Matter of Record: FEMA Emergency Management Institute transcript for Sharon Brown.
4. Matter of Record: Monthly report for December 2023 from Douglassville Fire Department.

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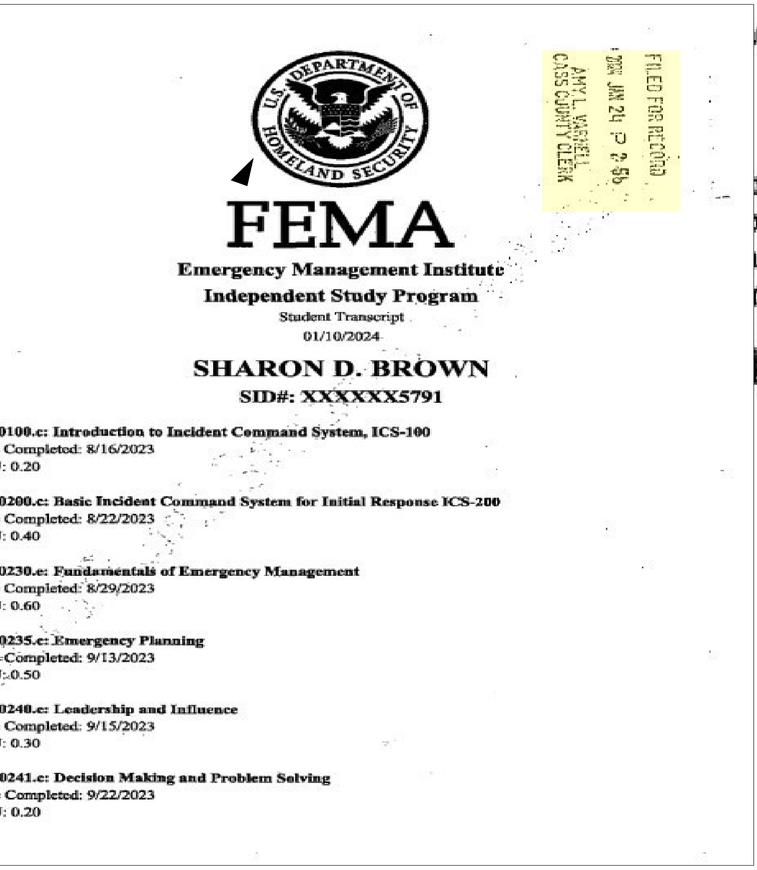

FEMA
**Emergency Management Institute**
**Independent Study Program**
Student Transcript
01/10/2024

**SHARON D. BROWN**
**SID#: XXXXXX5791**

FILED FOR RECORD
2024 JAN 24 P 2:56
AMY L. VARNELL
CASS COUNTY CLERK

**0100.c: Introduction to Incident Command System, ICS-100**
Completed: 8/16/2023
: 0.20

**0200.c: Basic Incident Command System for Initial Response ICS-200**
Completed: 8/22/2023
: 0.40

**0230.e: Fundamentals of Emergency Management**
Completed: 8/29/2023
: 0.60

**0235.c: Emergency Planning**
Completed: 9/13/2023
: 0.50

**0240.c: Leadership and Influence**
Completed: 9/15/2023
: 0.30

**0241.c: Decision Making and Problem Solving**
Completed: 9/22/2023
: 0.20

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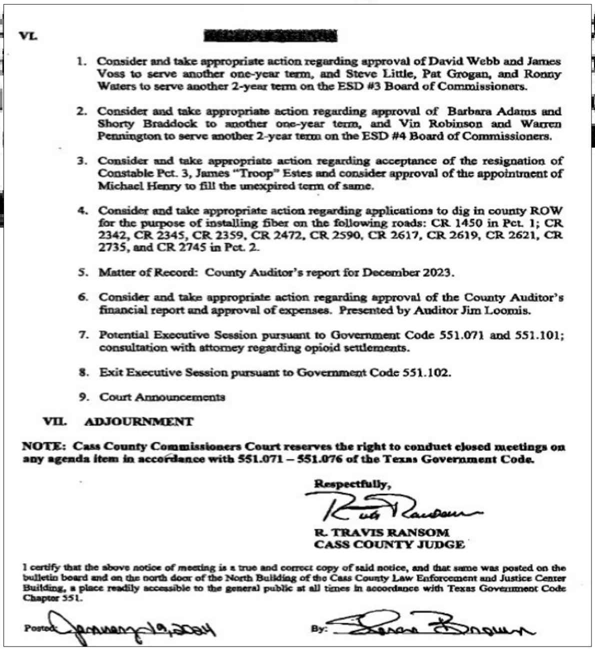


VI. [redacted]

1. Consider and take appropriate action regarding approval of David Webb and James Voss to serve another one-year term, and Steve Little, Pat Grogan, and Ronny Waters to serve another 2-year term on the ESD #3 Board of Commissioners.
2. Consider and take appropriate action regarding approval of Barbara Adams and Shorty Braddock to another one-year term, and Vin Robinson and Warren Pennington to serve another 2-year term on the ESD #4 Board of Commissioners.
3. Consider and take appropriate action regarding acceptance of the resignation of Constable Pct. 3, James "Troop" Estes and consider approval of the appointment of Michael Henry to fill the unexpired term of same.
4. Consider and take appropriate action regarding applications to dig in county ROW for the purpose of installing fiber on the following roads: CR 1450 in Pct. 1; CR 2342, CR 2345, CR 2359, CR 2472, CR 2590, CR 2617, CR 2619, CR 2621, CR 2735, and CR 2745 in Pct. 2.
5. Matter of Record: County Auditor's report for December 2023.
6. Consider and take appropriate action regarding approval of the County Auditor's financial report and approval of expenses. Presented by Auditor Jim Loomis.
7. Potential Executive Session pursuant to Government Code 551.071 and 551.101; consultation with attorney regarding opioid settlements.
8. Exit Executive Session pursuant to Government Code 551.102.
9. Court Announcements

VII. **ADJOURNMENT**

**NOTE: Cass County Commissioners Court reserves the right to conduct closed meetings on any agenda item in accordance with 551.071 – 551.076 of the Texas Government Code.**

**Respectfully,**

**R. TRAVIS RANSOM**
**CASS COUNTY JUDGE**

I certify that the above notice of meeting is a true and correct copy of said notice, and that same was posted on the bulletin board and on the north door of the North Building of the Cass County Law Enforcement and Justice Center Building, a place readily accessible to the general public at all times in accordance with Texas Government Code Chapter 551.

Posted: January 19, 2024 By: Sharon Brown

**CASS COUNTY COMMISSIONERS' COURT**
**604 HIGHWAY 8, NORTH**
**LINDEN, TEXAS**

**APRIL 9, 2024**
**REGULAR SESSION**

FILED FOR RECORD
2024 APR -5 AM 8:25
AMY L. VARNELL
CASS COUNTY CLERK

**TO ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS**

**GREETINGS:**

**YOU ARE HEREBY NOTIFIED THAT A REGULAR SESSION OF THE COMMISSIONERS' COURT OF CASS COUNTY, TEXAS WILL CONVENE ON TUESDAY APRIL 9, 2024 AT 8:30 AM IN THE CASS COUNTY LAW ENFORCEMENT AND JUSTICE CENTER BUILDING, JUSTICE OF THE PEACE COURTROOM, SECOND FLOOR IN NORTH BUILDING, LOCATED AT 604 HIGHWAY 8, NORTH, IN THE CITY OF LINDEN, CASS COUNTY, TEXAS, AT WHICH TIME AND PLACE THE FOLLOWING MATTERS WILL BE ADDRESSED AND APPROPRIATE ACTION TAKEN:**

**I.** **Call meeting to order**

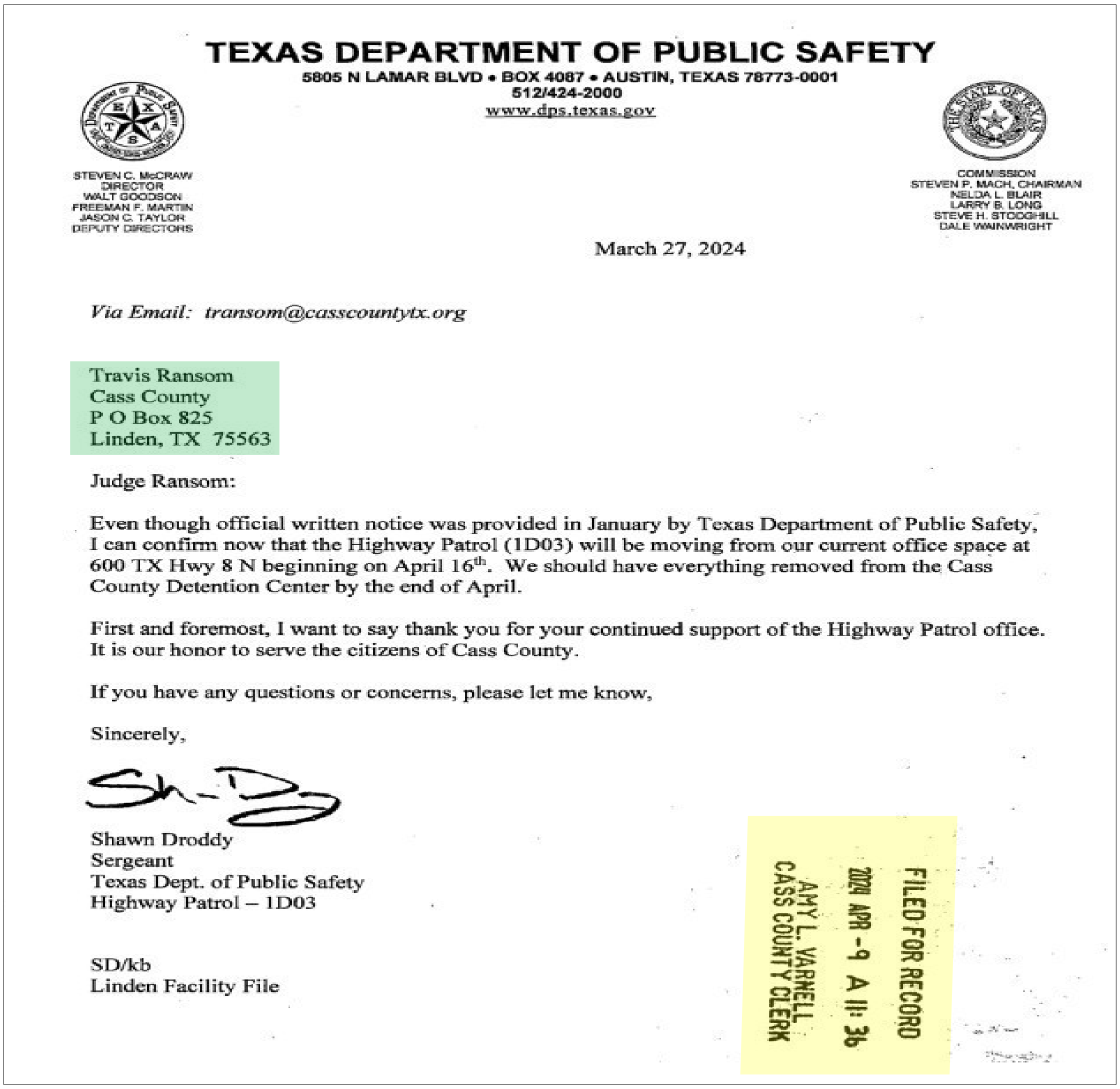
**II.** **Invocation by Commissioner Paul Cothren, Precinct 3**

**III.** **Flag Salute to the United States Flag and the Texas Flag**

**IV.** **Public Forum**

Citizens to be heard in the public forum must list their name on the sign-in sheet before the Commissioners Court session. The purpose of this item is to allow citizens an opportunity to address the Commissioners Court on issues not listed on the agenda. Citizens wishing to testify on, for, or against a specific agenda item must sign in and will be called during that agenda item.

**V.** [redacted]



**TEXAS DEPARTMENT OF PUBLIC SAFETY**
**5805 N LAMAR BLVD • BOX 4087 • AUSTIN, TEXAS 78773-0001**
**512/424-2000**
www.dps.texas.gov

STEVEN C. McCRAW
DIRECTOR
WALT GOODSON
FREEMAN F. MARTIN
JASON C. TAYLOR
DEPUTY DIRECTORS

COMMISSION
STEVEN P. MACH, CHAIRMAN
NELDA L. BLAIR
LARRY B. LONG
STEVE H. STOOGHILL
DALE WAINWRIGHT

March 27, 2024

*Via Email: transom@casscountytx.org*

Travis Ransom
Cass County
P O Box 825
Linden, TX 75563

Judge Ransom:

Even though official written notice was provided in January by Texas Department of Public Safety, I can confirm now that the Highway Patrol (1D03) will be moving from our current office space at 600 TX Hwy 8 N beginning on April 16th. We should have everything removed from the Cass County Detention Center by the end of April.

First and foremost, I want to say thank you for your continued support of the Highway Patrol office. It is our honor to serve the citizens of Cass County.

If you have any questions or concerns, please let me know,

Sincerely,

Shawn Droddy
Sergeant
Texas Dept. of Public Safety
Highway Patrol – 1D03

SD/kb
Linden Facility File

FILED FOR RECORD
2024 APR -9 A 11:36
AMY L. VARNELL
CASS COUNTY CLERK

FILED FOR RECORD
JUN -7 AM 8:22
AMY L. VARNELL
CASS COUNTY CLERK

**CASS COUNTY COMMISSIONERS' COURT**
**604 HIGHWAY 8, NORTH**
**LINDEN, TEXAS**

**JUNE 11, 2024**
**REGULAR SESSION**

**TO ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS**
**GREETINGS:**

OVED THIS THE 25 DAY OF June, 2024.

AVIS RANSOM
NTY JUDGE

T FITTS
MISSIONER, PRECINCT 1

KEVIN YOUNG
COMMISSIONER, PRECINCT 2

Lance
G LANCE
MISSIONER, PRECINCT 3

Darrell Godwin
DARRELL GODWIN
COMMISSIONER, PRECINCT 4

:
Amy L Varnell
L. VARNELL
COUNTY CLERK

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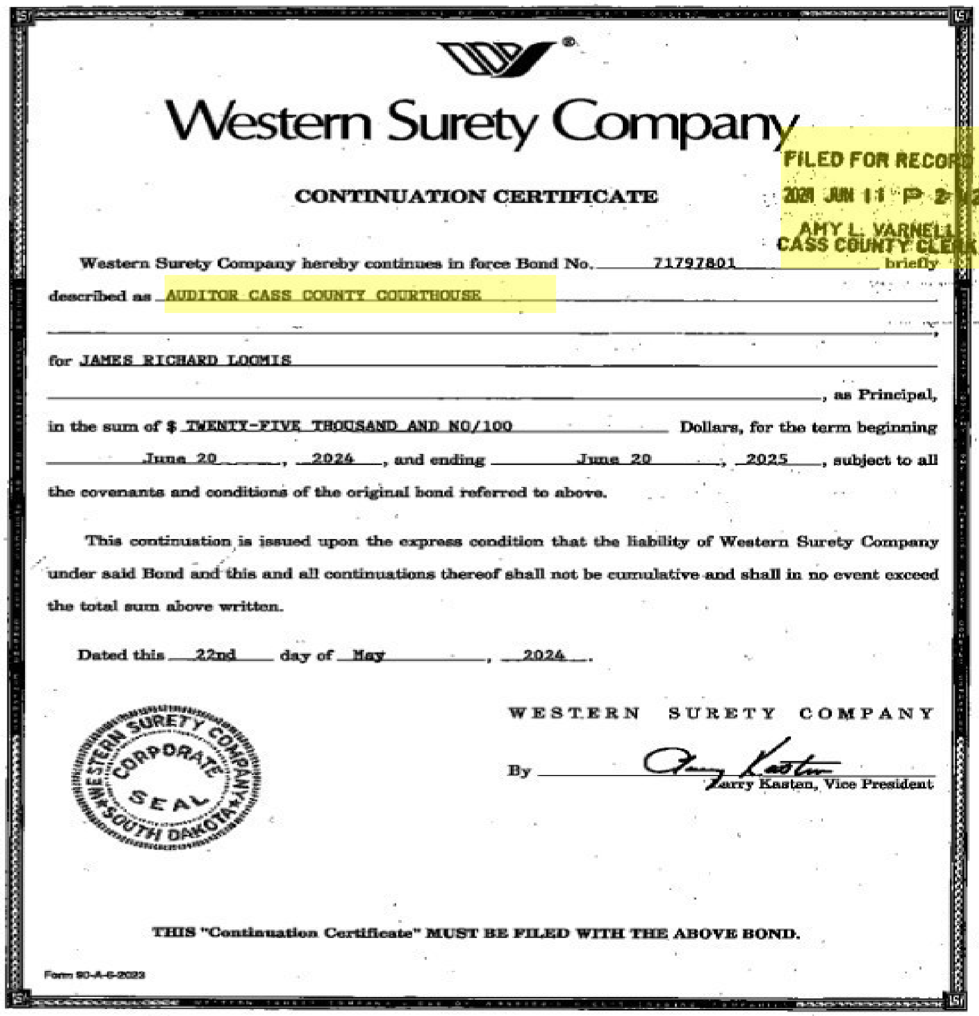


# Western Surety Company

FILED FOR RECORD
2024 JUN 11 P 2 2
AMY L. VARNELL
CASS COUNTY CLERK

## CONTINUATION CERTIFICATE

Western Surety Company hereby continues in force Bond No. 71797801 briefly described as AUDITOR CASS COUNTY COURTHOUSE

for JAMES RICHARD LOOMIS, as Principal,

in the sum of $ TWENTY-FIVE THOUSAND AND NO/100 Dollars, for the term beginning June 20, 2024, and ending June 20, 2025, subject to all the covenants and conditions of the original bond referred to above.

This continuation is issued upon the express condition that the liability of Western Surety Company under said Bond and this and all continuations thereof shall not be cumulative and shall in no event exceed the total sum above written.

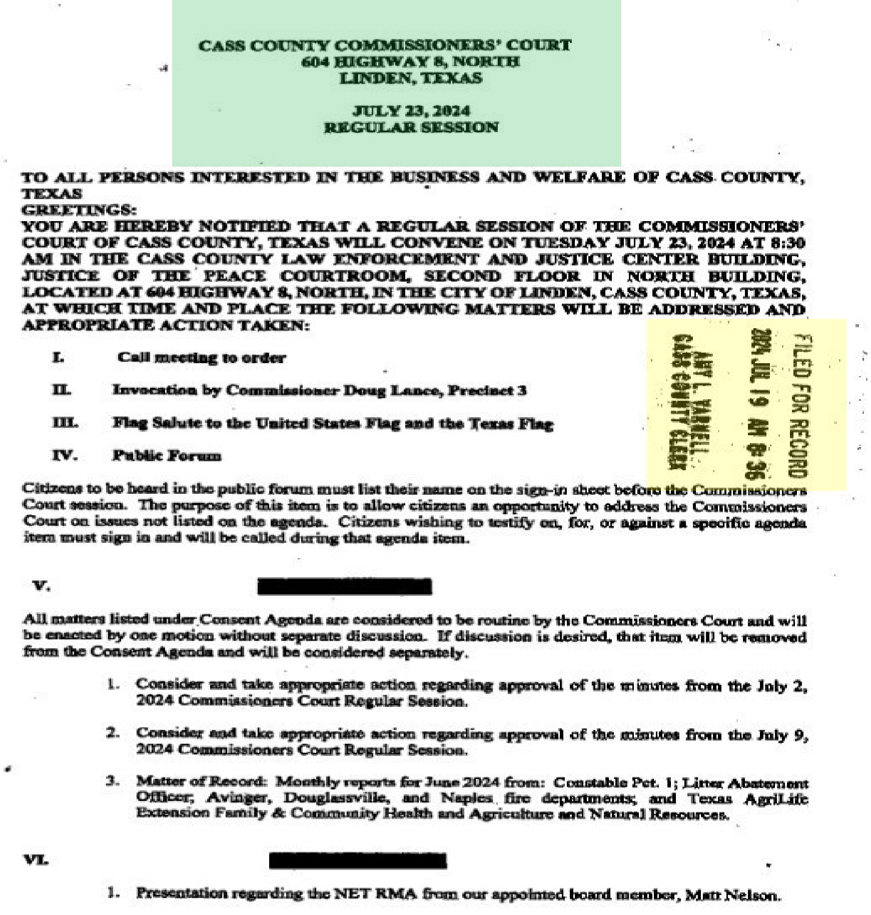
Dated this 22nd day of May, 2024.

WESTERN SURETY COMPANY

By Larry Kasten
Larry Kasten, Vice President

THIS "Continuation Certificate" MUST BE FILED WITH THE ABOVE BOND.

Form 90-A-6-2023



CASS COUNTY COMMISSIONERS' COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

JULY 23, 2024
REGULAR SESSION

FILED FOR RECORD
2024 JUL 19 AM 8:36
AMY L. VARNELL
CASS COUNTY CLERK

TO ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS
GREETINGS:
YOU ARE HEREBY NOTIFIED THAT A REGULAR SESSION OF THE COMMISSIONERS' COURT OF CASS COUNTY, TEXAS WILL CONVENE ON TUESDAY JULY 23, 2024 AT 8:30 AM IN THE CASS COUNTY LAW ENFORCEMENT AND JUSTICE CENTER BUILDING, JUSTICE OF THE PEACE COURTROOM, SECOND FLOOR IN NORTH BUILDING, LOCATED AT 604 HIGHWAY 8, NORTH, IN THE CITY OF LINDEN, CASS COUNTY, TEXAS, AT WHICH TIME AND PLACE THE FOLLOWING MATTERS WILL BE ADDRESSED AND APPROPRIATE ACTION TAKEN:

**I.** **Call meeting to order**

**II.** **Invocation by Commissioner Doug Lance, Precinct 3**

**III.** **Flag Salute to the United States Flag and the Texas Flag**

**IV.** **Public Forum**

Citizens to be heard in the public forum must list their name on the sign-in sheet before the Commissioners Court session. The purpose of this item is to allow citizens an opportunity to address the Commissioners Court on issues not listed on the agenda. Citizens wishing to testify on, for, or against a specific agenda item must sign in and will be called during that agenda item.

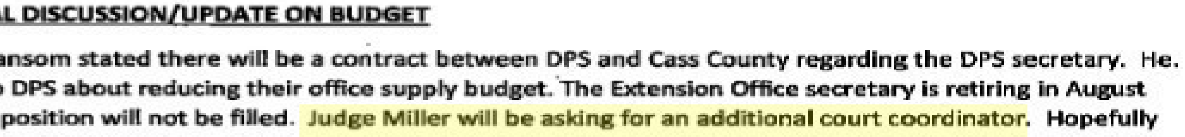
**V.** [redacted]

All matters listed under Consent Agenda are considered to be routine by the Commissioners Court and will be enacted by one motion without separate discussion. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

1. Consider and take appropriate action regarding approval of the minutes from the July 2, 2024 Commissioners Court Regular Session.
2. Consider and take appropriate action regarding approval of the minutes from the July 9, 2024 Commissioners Court Regular Session.
3. Matter of Record: Monthly reports for June 2024 from: Constable Pct. 1; Litter Abatement Officer; Avinger, Douglassville, and Naples fire departments; and Texas AgriLife Extension Family & Community Health and Agriculture and Natural Resources.

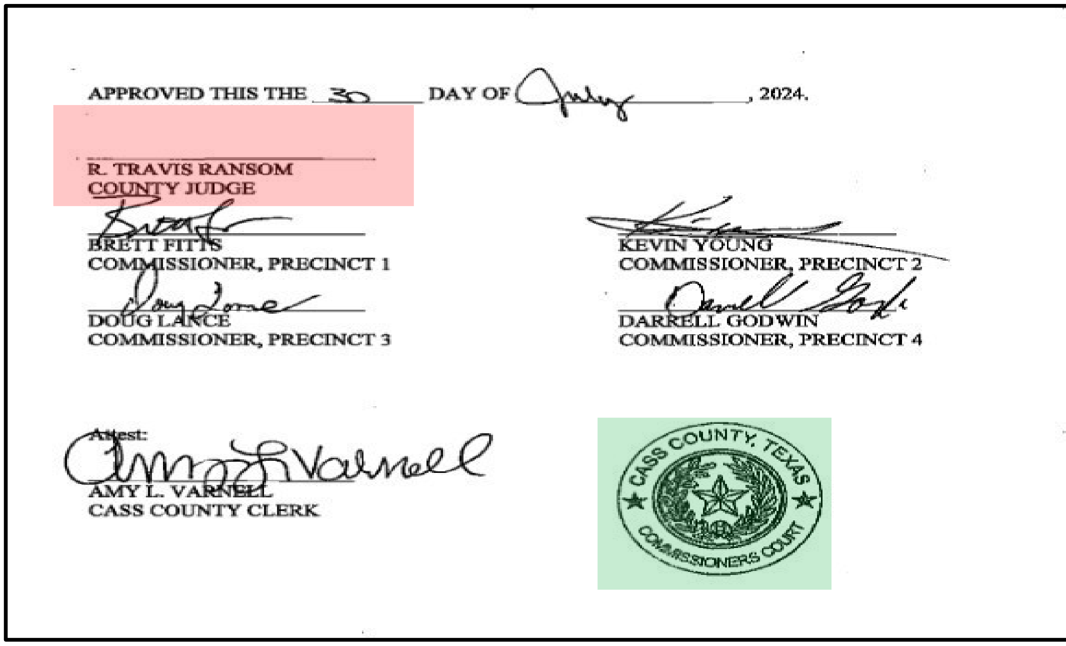
**VI.** [redacted]

1. Presentation regarding the NET RMA from our appointed board member, Matt Nelson.



**L DISCUSSION/UPDATE ON BUDGET**

ansom stated there will be a contract between DPS and Cass County regarding the DPS secretary. He. DPS about reducing their office supply budget. The Extension Office secretary is retiring in August position will not be filled. Judge Miller will be asking for an additional court coordinator. Hopefully posed budget will be filed by the end of July.



APPROVED THIS THE 30 DAY OF July, 2024.

R. TRAVIS RANSOM
COUNTY JUDGE

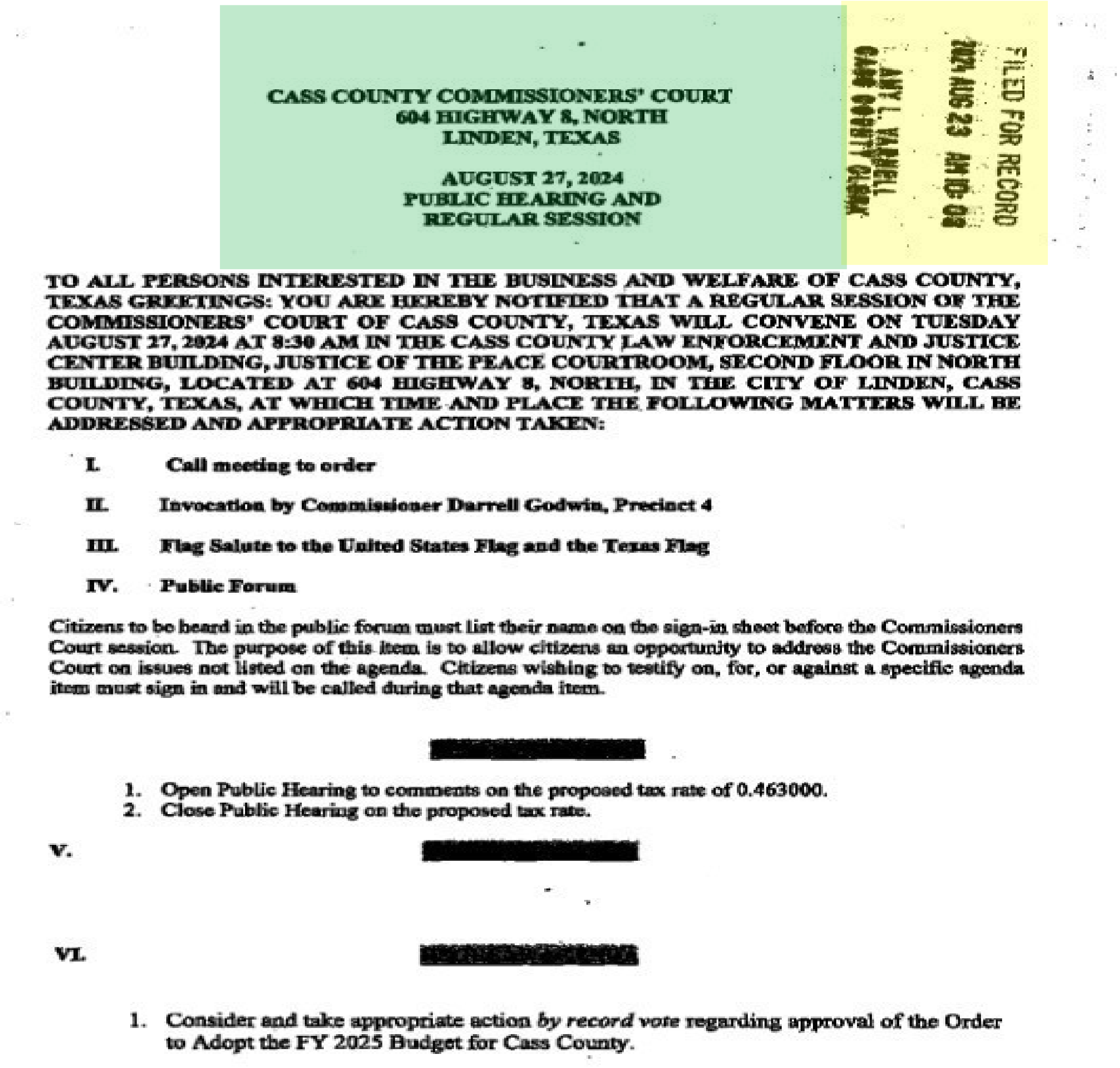
BRETT FITTS
COMMISSIONER, PRECINCT 1

KEVIN YOUNG
COMMISSIONER, PRECINCT 2

Doug Lance
DOUG LANCE
COMMISSIONER, PRECINCT 3

Darrell Godwin
DARRELL GODWIN
COMMISSIONER, PRECINCT 4

Attest:
Amy L Varnell
AMY L. VARNELL
CASS COUNTY CLERK



FILED FOR RECORD
2024 AUG 23 AM 10: 08
AMY L. VARNELL
CASS COUNTY CLERK

### CASS COUNTY COMMISSIONERS' COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

### AUGUST 27, 2024
### PUBLIC HEARING AND REGULAR SESSION

**TO ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS GREETINGS: YOU ARE HEREBY NOTIFIED THAT A REGULAR SESSION OF THE COMMISSIONERS' COURT OF CASS COUNTY, TEXAS WILL CONVENE ON TUESDAY AUGUST 27, 2024 AT 8:30 AM IN THE CASS COUNTY LAW ENFORCEMENT AND JUSTICE CENTER BUILDING, JUSTICE OF THE PEACE COURTROOM, SECOND FLOOR IN NORTH BUILDING, LOCATED AT 604 HIGHWAY 8, NORTH, IN THE CITY OF LINDEN, CASS COUNTY, TEXAS, AT WHICH TIME AND PLACE THE FOLLOWING MATTERS WILL BE ADDRESSED AND APPROPRIATE ACTION TAKEN:**

**I. Call meeting to order**

**II. Invocation by Commissioner Darrell Godwin, Precinct 4**

**III. Flag Salute to the United States Flag and the Texas Flag**

**IV. Public Forum**

Citizens to be heard in the public forum must list their name on the sign-in sheet before the Commissioners Court session. The purpose of this item is to allow citizens an opportunity to address the Commissioners Court on issues not listed on the agenda. Citizens wishing to testify on, for, or against a specific agenda item must sign in and will be called during that agenda item.

[redacted]

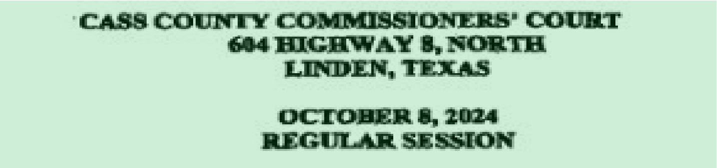
1. Open Public Hearing to comments on the proposed tax rate of 0.463000.
2. Close Public Hearing on the proposed tax rate.

**V.** [redacted]

**VI.** [redacted]

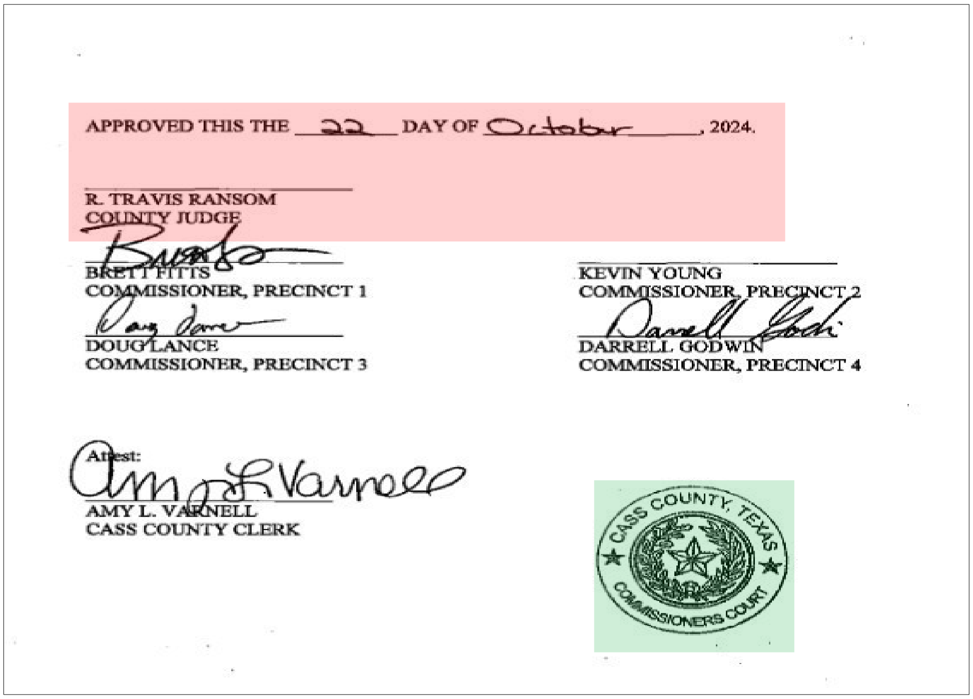
1. Consider and take appropriate action *by record vote* regarding approval of the Order to Adopt the FY 2025 Budget for Cass County.

First time three black lines appeared



CASS COUNTY COMMISSIONERS' COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

OCTOBER 8, 2024
REGULAR SESSION



APPROVED THIS THE 22 DAY OF October, 2024.

R. TRAVIS RANSOM
COUNTY JUDGE

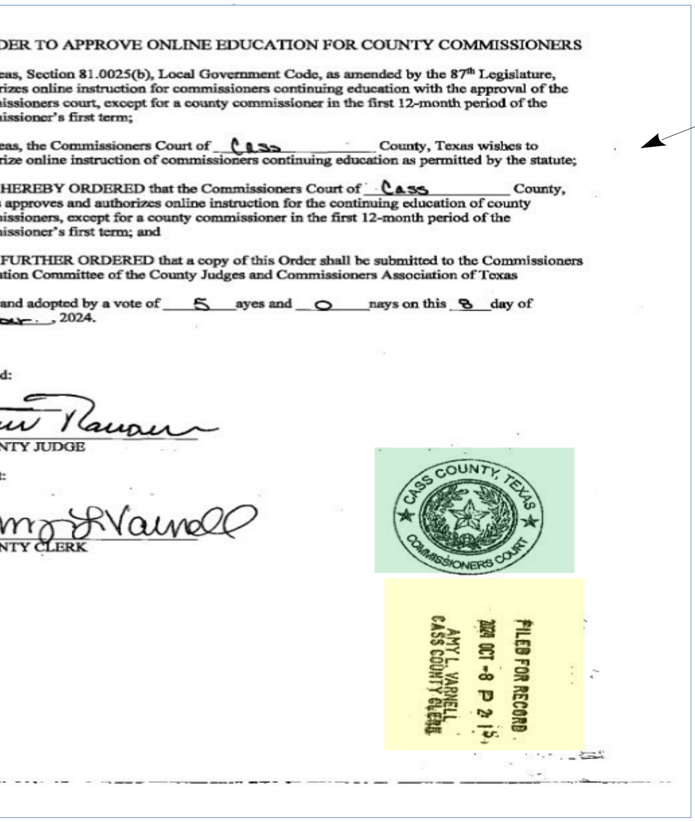
BRETT FITTS
COMMISSIONER, PRECINCT 1

KEVIN YOUNG
COMMISSIONER, PRECINCT 2

Doug Lance
DOUG LANCE
COMMISSIONER, PRECINCT 3

Darrell Godwin
DARRELL GODWIN
COMMISSIONER, PRECINCT 4

Attest:
Amy L Varnell
AMY L. VARNELL
CASS COUNTY CLERK



DER TO APPROVE ONLINE EDUCATION FOR COUNTY COMMISSIONERS

eas, Section 81.0025(b), Local Government Code, as amended by the 87th Legislature,
rizes online instruction for commissioners continuing education with the approval of the
nissioners court, except for a county commissioner in the first 12-month period of the
nissioner's first term;

eas, the Commissioners Court of Cass County, Texas wishes to
rize online instruction of commissioners continuing education as permitted by the statute;

HEREBY ORDERED that the Commissioners Court of Cass County,
approves and authorizes online instruction for the continuing education of county
nissioners, except for a county commissioner in the first 12-month period of the
nissioner's first term; and

FURTHER ORDERED that a copy of this Order shall be submitted to the Commissioners
ation Committee of the County Judges and Commissioners Association of Texas

and adopted by a vote of 5 ayes and 0 nays on this 8 day of
ber, 2024.

d:

NTY JUDGE

t:

Amy L Varnell
NTY CLERK

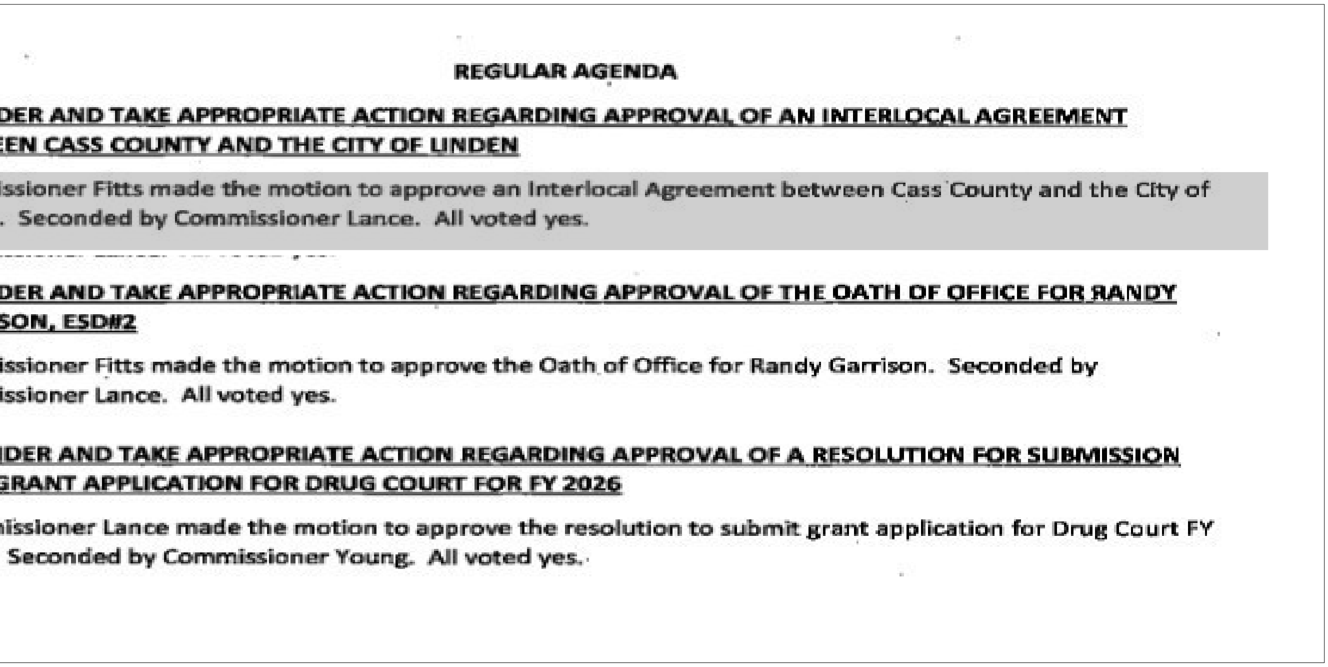
FILED FOR RECORD
2024 OCT -8 P 2:15
AMY L. VARNELL
CASS COUNTY CLERK

The Location: COUNTY COURTHOUSE doesn't appear on government documents.

Therefore, the stamp is relied upon – it defaults to the stamp – the stamp says 100 E. Houston.

# CASS COUNTY COMMISSIONERS' COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

JANUARY 14, 2025
REGULAR SESSION



## REGULAR AGENDA

**DER AND TAKE APPROPRIATE ACTION REGARDING APPROVAL OF AN INTERLOCAL AGREEMENT EEN CASS COUNTY AND THE CITY OF LINDEN**

issioner Fitts made the motion to approve an Interlocal Agreement between Cass County and the City of . Seconded by Commissioner Lance. All voted yes.

**DER AND TAKE APPROPRIATE ACTION REGARDING APPROVAL OF THE OATH OF OFFICE FOR RANDY SON, ESD#2**

issioner Fitts made the motion to approve the Oath of Office for Randy Garrison. Seconded by issioner Lance. All voted yes.

**IDER AND TAKE APPROPRIATE ACTION REGARDING APPROVAL OF A RESOLUTION FOR SUBMISSION GRANT APPLICATION FOR DRUG COURT FOR FY 2026**

nissioner Lance made the motion to approve the resolution to submit grant application for Drug Court FY Seconded by Commissioner Young. All voted yes.

APPROVED THIS THE 28 DAY OF January, 2025.

R. TRAVIS RANSOM
COUNTY JUDGE

BRETT FITTS
COMMISSIONER, PRECINCT 1

KEVIN YOUNG
COMMISSIONER, PRECINCT 2

DOUG LANCE
COMMISSIONER, PRECINCT 3

DARRELL GODWIN
COMMISSIONER, PRECINCT 4

Attest:
Amy L. Varnell
AMY L. VARNELL
CASS COUNTY CLERK

# PART IV

## 2025

**CASS COUNTY COMMISSIONERS' COURT**
**604 HIGHWAY 8, NORTH**
**LINDEN, TEXAS**

**FEBRUARY 25, 2025**
**REGULAR SESSION**

***PLEASE NOTE LOCATION CHANGE FOR THIS MEETING ONLY***

**TO ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS GREETINGS: YOU ARE HEREBY NOTIFIED THAT A REGULAR SESSION OF THE COMMISSIONERS' COURT OF CASS COUNTY, TEXAS WILL CONVENE ON TUESDAY FEBRUARY 25, 2025 AT 8:30 AM IN THE *CASS COUNTY HISTORIC COURTHOUSE DISTRICT COURTROOM, SECOND FLOOR, LOCATED AT 100 E. HOUSTON ST., IN THE CITY OF LINDEN,* CASS COUNTY, TEXAS, AT WHICH TIME AND PLACE THE FOLLOWING MATTERS WILL BE ADDRESSED AND APPROPRIATE ACTION TAKEN:**

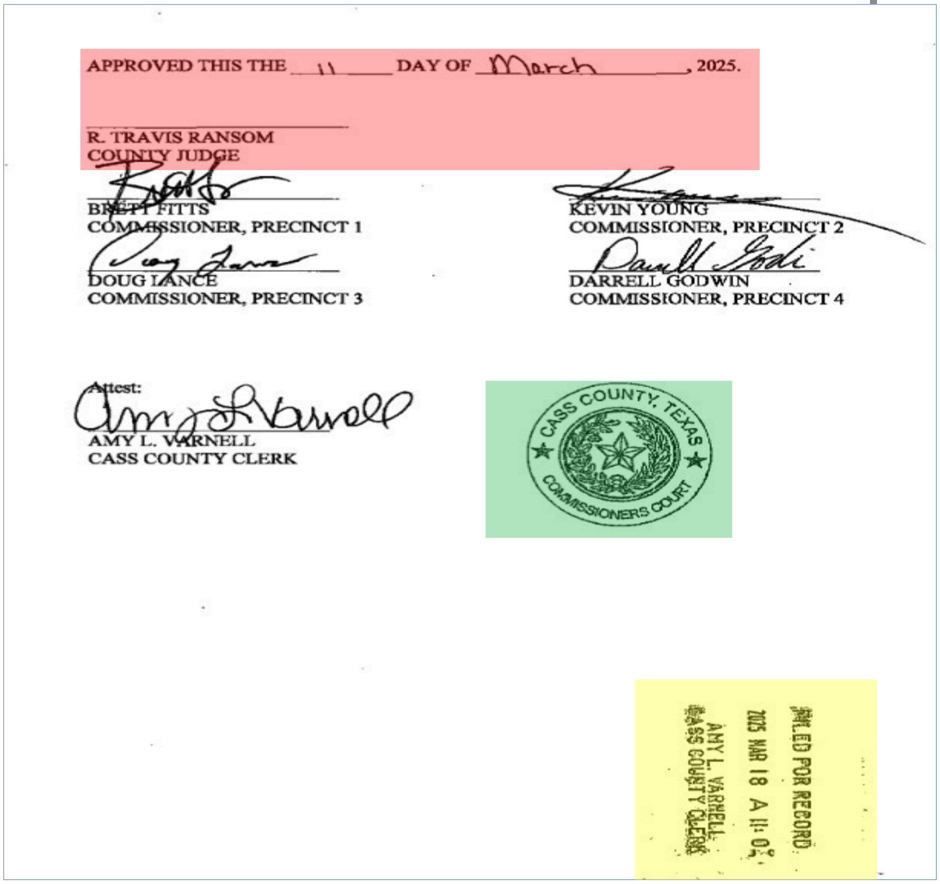
**CONSIDER AND TAKE APPROPRIATE ACTION REGARDING APPROVAL OF RESOLUTION AUTHORIZING THE SUBMISSION OF USDA-FS-2024-CWDG-SGSF PROJECT APPLICATION AND AUTHORIZING THE COUNTY JUDGE TO ACT AS THE EXECUTIVE OFFICER IN ALL MATTERS PERTAINING TO THE COUNTY'S PARTICIPATION IN THE GRANT PROGRAM. PRESENTED BY GRANT COORDINATOR VIN ROBINSON**

Commissioner Lance made the motion to approve the resolution authorizing the submission of USDA-FS-2024-CWDG-SGSF project application and to authorize the County Judge to act as the Executive Officer in all matters pertaining to the county's participation in the grant program. Seconded by Commissioner Young. All voted yes.

**CONSIDER AND TAKE APPROPRIATE ACTION REGARDING APPROVAL OF A RESOLUTION OF THE COURT OPPOSING THE SALE OF WATER RIGHTS BY THE NETMWD FROM LAKE O' THE PINES**

Commissioner Young made the motion to approve a resolution opposing the sale of water rights by the Northeast Texas Municipal Water District from Lake O' the Pines. Seconded by Commissioner Fitts. All voted yes.

February 25, 2025,
Commissioners
urt issued a notice
ing that the meeting
uld occur at the Cass
unty Courthouse.
s was the first
mmissioners Court
eting held inside the
rthouse since 2009



APPROVED THIS THE 11 DAY OF March, 2025.

R. TRAVIS RANSOM
COUNTY JUDGE

BRETT FITTS
COMMISSIONER, PRECINCT 1

KEVIN YOUNG
COMMISSIONER, PRECINCT 2

DOUG LANCE
COMMISSIONER, PRECINCT 3

DARRELL GODWIN
COMMISSIONER, PRECINCT 4

Attest: Amy L. Varnell
AMY L. VARNELL
CASS COUNTY CLERK

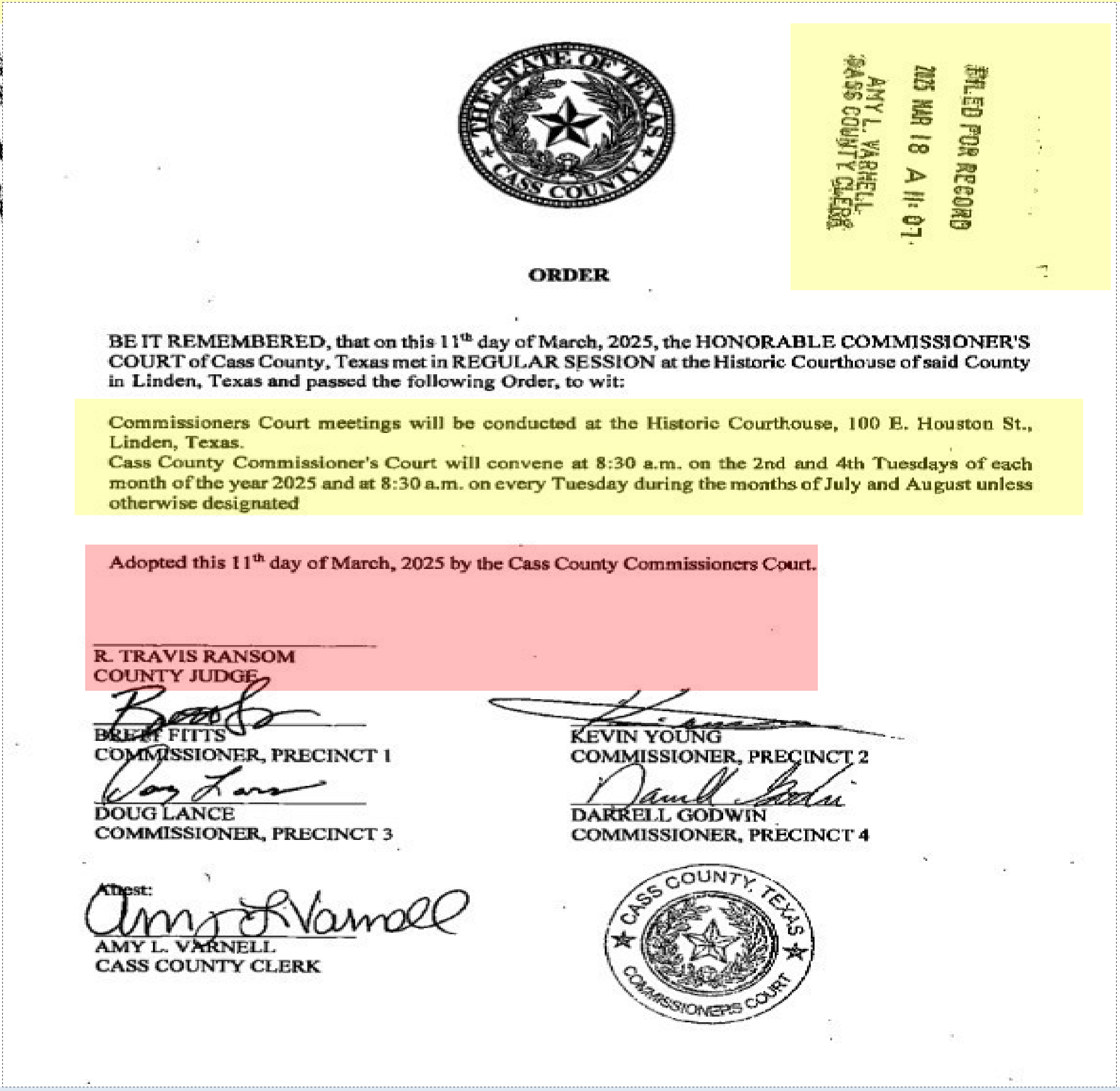
FILED FOR RECORD
2025 MAR 18 A 11: 0[illegible]
AMY L. VARNELL
CASS COUNTY CLERK

**CASS COUNTY COMMISSIONERS' COURT**
**100 E. HOUSTON ST.**
**LINDEN, TEXAS**

**MARCH 11, 2025**
**REGULAR SESSION**
***PLEASE NOTE LOCATION CHANGE FOR THIS MEETING ***

**TO ALL**
**TEXAS G**
**COMMIS**
**MARCH**
**COURTR**
**LINDEN,**
**MATTER**

**UNTY,**
**F THE**
**SDAY**
**TRICT**
**TY OF**
**WING**



FILED FOR RECORD
2025 MAR 18 A 11: 07
AMY L. VARNELL
CASS COUNTY CLERK

**ORDER**

BE IT REMEMBERED, that on this 11th day of March, 2025, the HONORABLE COMMISSIONER'S COURT of Cass County, Texas met in REGULAR SESSION at the Historic Courthouse of said County in Linden, Texas and passed the following Order, to wit:

Commissioners Court meetings will be conducted at the Historic Courthouse, 100 E. Houston St., Linden, Texas.
Cass County Commissioner's Court will convene at 8:30 a.m. on the 2nd and 4th Tuesdays of each month of the year 2025 and at 8:30 a.m. on every Tuesday during the months of July and August unless otherwise designated

Adopted this 11th day of March, 2025 by the Cass County Commissioners Court.

R. TRAVIS RANSOM
COUNTY JUDGE

BRETT FITTS
COMMISSIONER, PRECINCT 1

KEVIN YOUNG
COMMISSIONER, PRECINCT 2

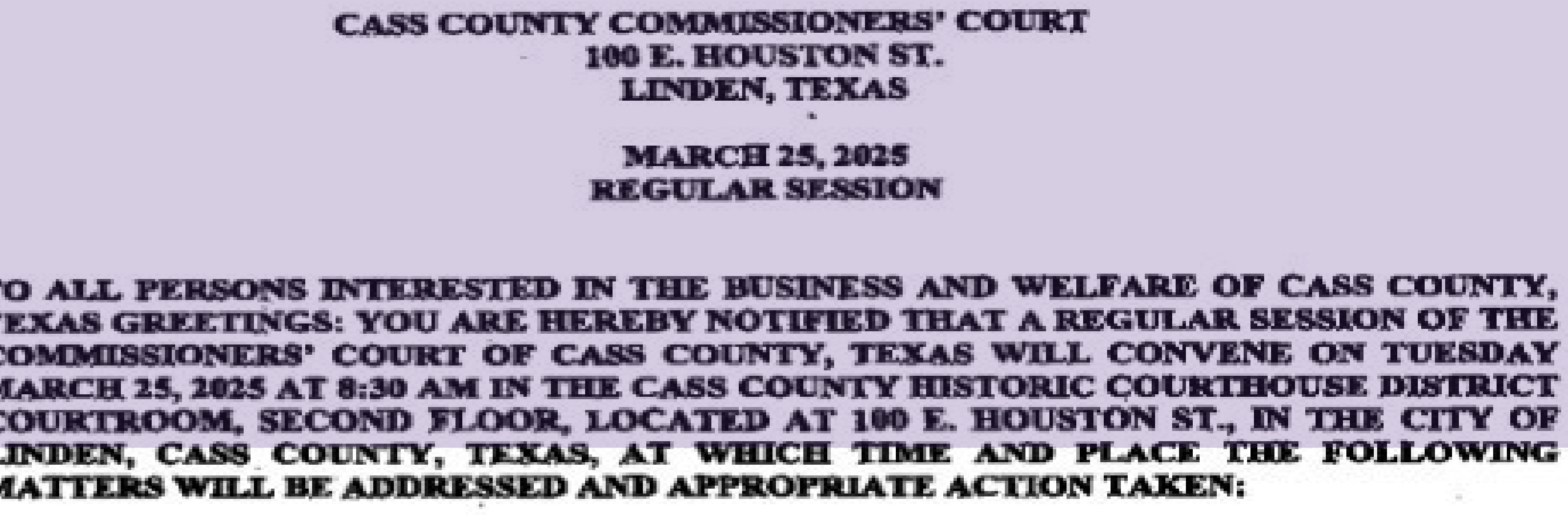
DOUG LANCE
COMMISSIONER, PRECINCT 3

DARRELL GODWIN
COMMISSIONER, PRECINCT 4

Attest:
Amy L Varnell
AMY L. VARNELL
CASS COUNTY CLERK

ument is titled as an order dated March 11, 2025 and lists the Historic Courthouse at 100 on Street as the meeting location. The signatures of the Commissioners appear on the the County Judge signature block is displayed without an executed signature.

r states that future meetings will be conducted at the Historic Courthouse and lists the location for those sessions. The record for earlier years contains no corresponding order g the Commissioners Court away from the courthouse, and the documents reviewed etings occurring in the Justice Center room during that period.



CASS COUNTY COMMISSIONERS' COURT
100 E. HOUSTON ST.
LINDEN, TEXAS

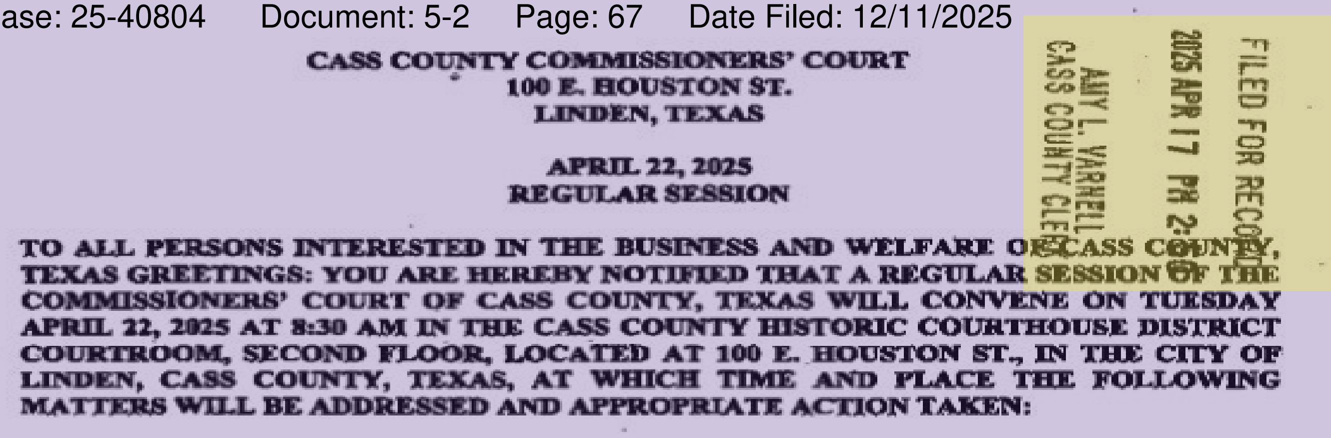
MARCH 25, 2025
REGULAR SESSION

O ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, EXAS GREETINGS: YOU ARE HEREBY NOTIFIED THAT A REGULAR SESSION OF THE OMMISSIONERS' COURT OF CASS COUNTY, TEXAS WILL CONVENE ON TUESDAY ARCH 25, 2025 AT 8:30 AM IN THE CASS COUNTY HISTORIC COURTHOUSE DISTRICT OURTROOM, SECOND FLOOR, LOCATED AT 100 E. HOUSTON ST., IN THE CITY OF INDEN, CASS COUNTY, TEXAS, AT WHICH TIME AND PLACE THE FOLLOWING ATTERS WILL BE ADDRESSED AND APPROPRIATE ACTION TAKEN:

March 25, 2025 agenda lists the Historic Courthouse at 100 E. Houston Street as the ting location. The template header appears in the same format as earlier agendas used for tings held in the Justice Center.

record reviewed for prior years contains agendas and minutes that show Commissioners rt sessions occurring at the Justice Center. No document in the record set shows an order cating the Commissioners Court to the Justice Center or an earlier order returning it to the rthouse.

*With the March 11th order unexecuted , this purple represents an unknown venue location*



CASS COUNTY COMMISSIONERS' COURT
100 E. HOUSTON ST.
LINDEN, TEXAS

APRIL 22, 2025
REGULAR SESSION

TO ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS GREETINGS: YOU ARE HEREBY NOTIFIED THAT A REGULAR SESSION OF THE COMMISSIONERS' COURT OF CASS COUNTY, TEXAS WILL CONVENE ON TUESDAY APRIL 22, 2025 AT 8:30 AM IN THE CASS COUNTY HISTORIC COURTHOUSE DISTRICT COURTROOM, SECOND FLOOR, LOCATED AT 100 E. HOUSTON ST., IN THE CITY OF LINDEN, CASS COUNTY, TEXAS, AT WHICH TIME AND PLACE THE FOLLOWING MATTERS WILL BE ADDRESSED AND APPROPRIATE ACTION TAKEN:

FILED FOR RECORD
2025 APR 17 PM 2:[illegible]
AMY L. VARNELL
CASS COUNTY CLERK

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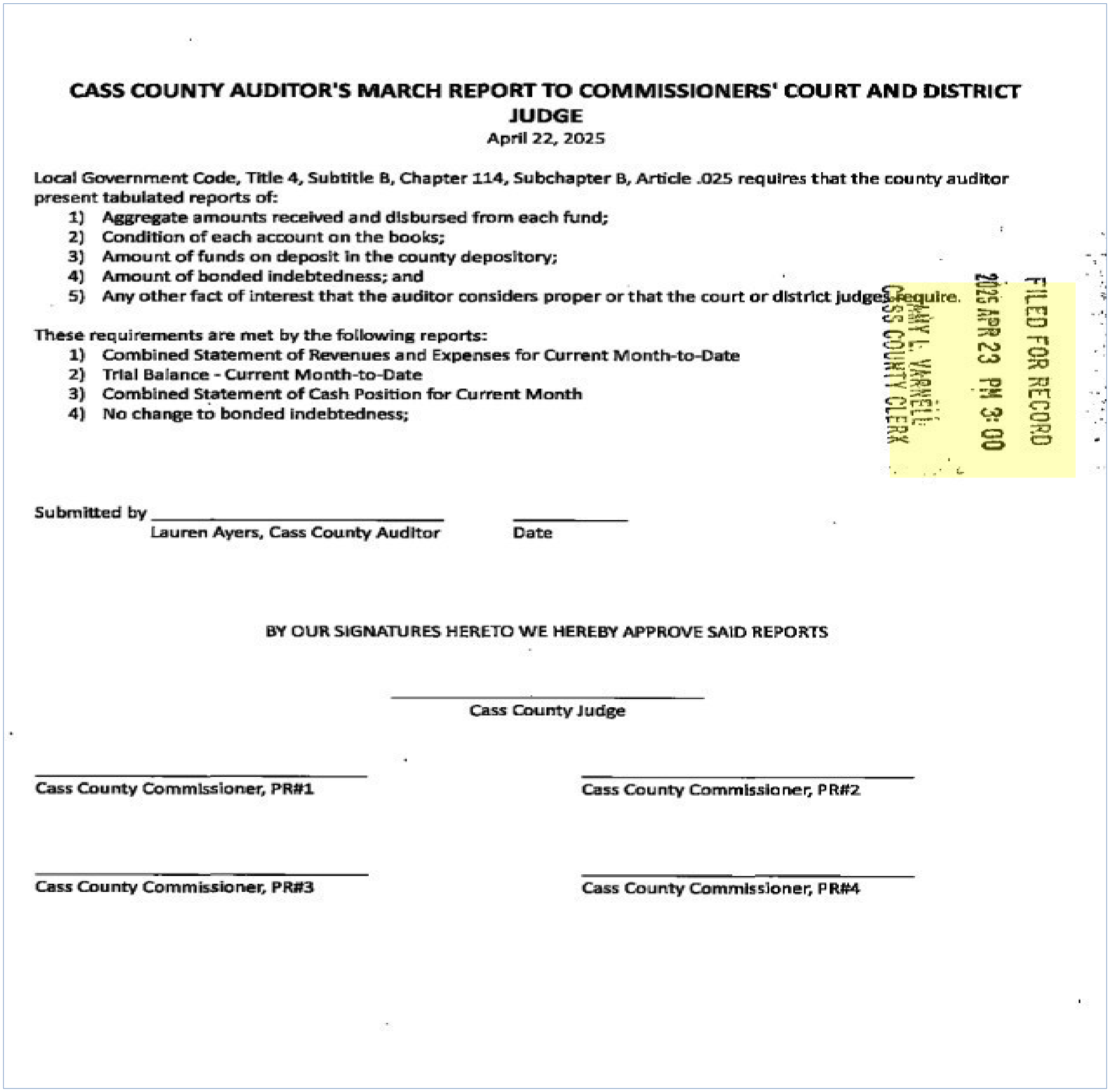


## CASS COUNTY AUDITOR'S MARCH REPORT TO COMMISSIONERS' COURT AND DISTRICT JUDGE

April 22, 2025

Local Government Code, Title 4, Subtitle B, Chapter 114, Subchapter B, Article .025 requires that the county auditor present tabulated reports of:

1) Aggregate amounts received and disbursed from each fund;
2) Condition of each account on the books;
3) Amount of funds on deposit in the county depository;
4) Amount of bonded indebtedness; and
5) Any other fact of interest that the auditor considers proper or that the court or district judges require.

These requirements are met by the following reports:

1) Combined Statement of Revenues and Expenses for Current Month-to-Date
2) Trial Balance - Current Month-to-Date
3) Combined Statement of Cash Position for Current Month
4) No change to bonded indebtedness;

FILED FOR RECORD
2025 APR 23 PM 3:00
AMY L. VARNELL
CASS COUNTY CLERK

Submitted by ______________________________ ____________
Lauren Ayers, Cass County Auditor Date

BY OUR SIGNATURES HERETO WE HEREBY APPROVE SAID REPORTS

______________________________
Cass County Judge

______________________________
Cass County Commissioner, PR#1

______________________________
Cass County Commissioner, PR#2

______________________________
Cass County Commissioner, PR#3

______________________________
Cass County Commissioner, PR#4

CASS COUNTY COMMISSIONERS' COURT
100 E. HOUSTON ST.
LINDEN, TEXAS

JUNE 24, 2025
REGULAR SESSION
AMENDED AGENDA

ER AND TAKE APPROPRIATE ACTION REGARDING THE CREATION OF EMERGENCY SERVICES DISTRICT
ORDERING IT TO BE PLACED ON THE NOVEMBER 4, 2025 GENERAL ELECTION IS APPROVED

ER AND TAKE APPROPRIATE ACTION REGARDING APPROVAL OF THE TREASURER'S MONTHLY AND
ERLY REPORTS. PRESENTED BY MELISSA SHORES

ER AND TAKE APPROPRIATE ACTION REGARDING APPROVAL OF A RESOLUTION AUTHORIZING THE
SION OF A HOME INVESTMENT PARTNERSHIPS PROGRAM APPLICATION AND AUTHORIZING THE
Y JUDGE TO ACT AS SIGNATORY AND AUTHORIZED REPRESENTATIVE

ER AND TAKE APPROPRIATE ACTION REGARDING APPROVAL OF THE COUNTY AUDITOR'S FINANCIAL
AND APPROVAL OF EXPENSES. PRESENTED BY AUDITOR LAUREN AYERS

IVE SESSION PURSUANT TO GOVERNMENT CODE 551.072; DELIBERATION REGARDING REAL
RTY

ECUTIVE SESSION PURSUANT TO GOVERNMENT CODE 551.102

APPROVED THIS THE 8 DAY OF July, 2025.

R. TRAVIS RANSOM
COUNTY JUDGE

BRETT FITTS
COMMISSIONER, PRECINCT 1

KEVIN YOUNG
COMMISSIONER, PRECINCT 2

DOUG LANCE
COMMISSIONER, PRECINCT 3

Darrell Godwin
DARRELL GODWIN
COMMISSIONER, PRECINCT 4

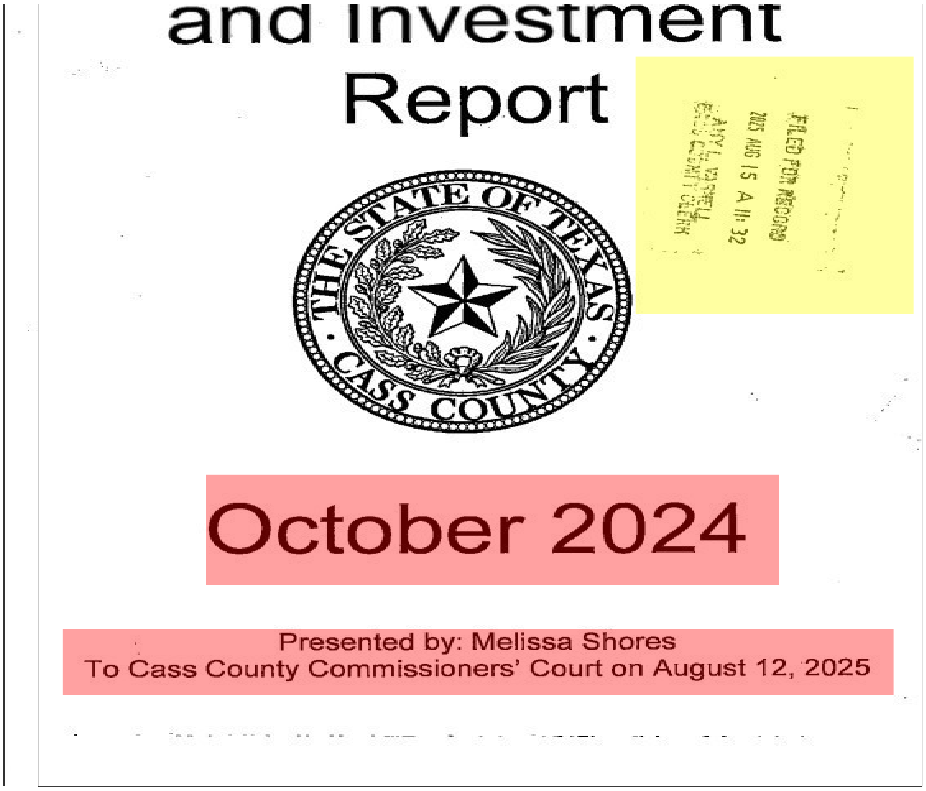
Attest:
Amy L Varnell
AMY L. VARNELL
CASS COUNTY CLERK

CASS COUNTY COMMISSIONERS' COURT
100 E. HOUSTON ST.
LINDEN, TEXAS

AUGUST 12, 2025
REGULAR SESSION

FILED FOR RECORD
2025 AUG -8 AM 8:04
AMY L. VARNELL
CASS COUNTY CLERK

LL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS
TINGS: YOU ARE HEREBY NOTIFIED THAT A REGULAR SESSION OF THE COMMISSIONERS'
T OF CASS COUNTY, TEXAS WILL CONVENE ON TUESDAY AUGUST 12, 2025 AT 8:30 AM IN
ASS COUNTY HISTORIC COURTHOUSE DISTRICT COURTROOM, SECOND FLOOR, LOCATED
0 E. HOUSTON ST., IN THE CITY OF LINDEN, CASS COUNTY, TEXAS, AT WHICH TIME AND
E THE FOLLOWING MATTERS WILL BE ADDRESSED AND APPROPRIATE ACTION TAKEN:



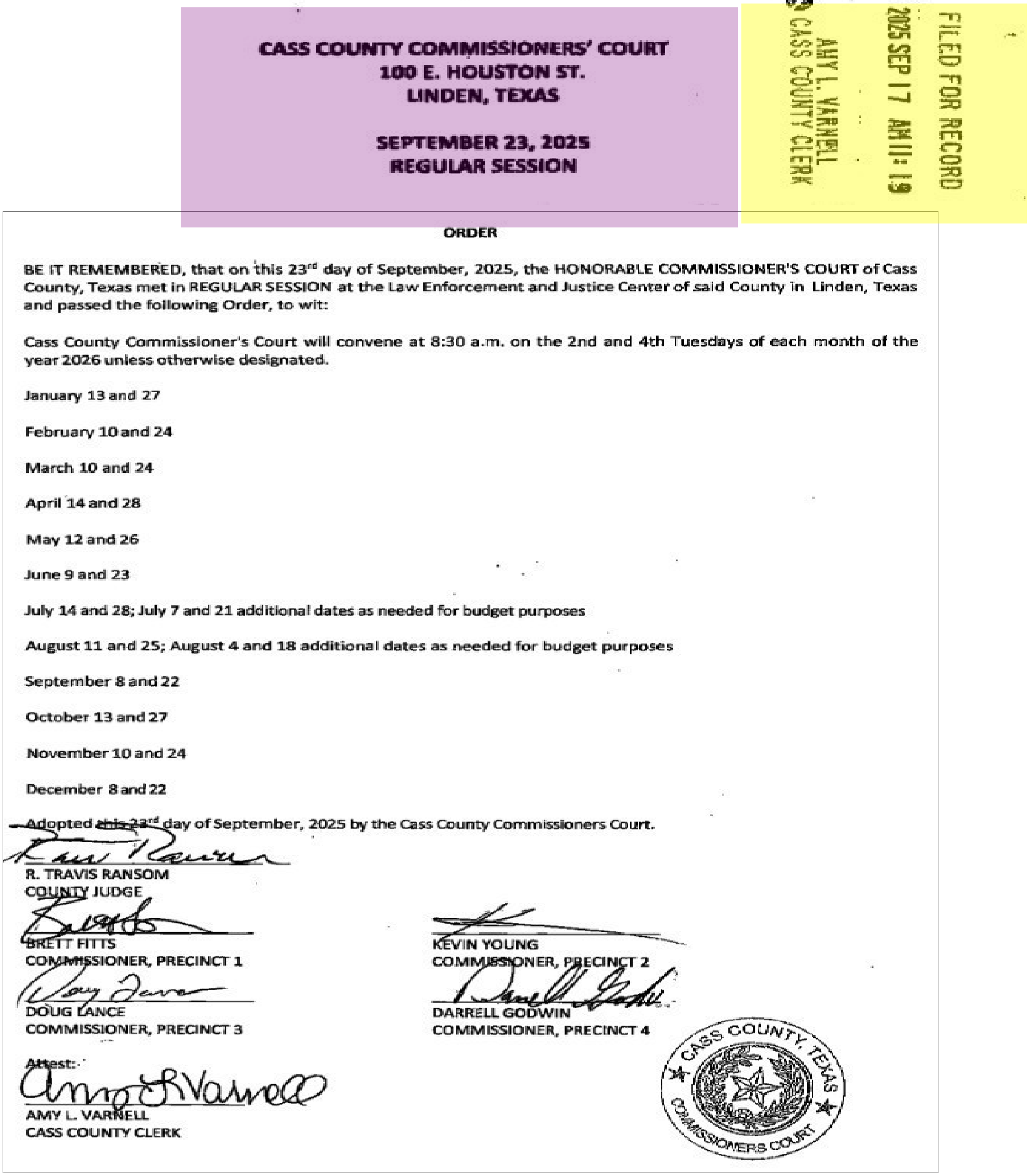
and Investment
Report

FILED FOR RECORD
2025 AUG 15 A 11:32
AMY L. VARNELL
CASS COUNTY CLERK

October 2024

Presented by: Melissa Shores
To Cass County Commissioners' Court on August 12, 2025

nancial documents in the record also appear in Commissioners Court meetings months
eir stated reporting periods, and several originate from prior fiscal years. The record
these reports being introduced and filed during sessions held at 100 E. Houston Street.



**CASS COUNTY COMMISSIONERS' COURT**
**100 E. HOUSTON ST.**
**LINDEN, TEXAS**

**SEPTEMBER 23, 2025**
**REGULAR SESSION**

FILED FOR RECORD
2025 SEP 17 AM 11:19
AMY L. VARNELL
CASS COUNTY CLERK

## ORDER

BE IT REMEMBERED, that on this 23rd day of September, 2025, the HONORABLE COMMISSIONER'S COURT of Cass County, Texas met in REGULAR SESSION at the Law Enforcement and Justice Center of said County in Linden, Texas and passed the following Order, to wit:

Cass County Commissioner's Court will convene at 8:30 a.m. on the 2nd and 4th Tuesdays of each month of the year 2026 unless otherwise designated.

January 13 and 27

February 10 and 24

March 10 and 24

April 14 and 28

May 12 and 26

June 9 and 23

July 14 and 28; July 7 and 21 additional dates as needed for budget purposes

August 11 and 25; August 4 and 18 additional dates as needed for budget purposes

September 8 and 22

October 13 and 27

November 10 and 24

December 8 and 22

Adopted this 23rd day of September, 2025 by the Cass County Commissioners Court.

R. TRAVIS RANSOM
COUNTY JUDGE

BRETT FITTS
COMMISSIONER, PRECINCT 1

KEVIN YOUNG
COMMISSIONER, PRECINCT 2

DOUG LANCE
COMMISSIONER, PRECINCT 3

DARRELL GODWIN
COMMISSIONER, PRECINCT 4

Attest:

Amy L Varnell

AMY L. VARNELL
CASS COUNTY CLERK

cation as the site for all Commissioners Court sessions. The record contains
lier order designating the Justice Center as the county seat or relocating the
from the courthouse.

FILED FOR RECORD
2025 OCT 22 PM 3:04
AMY L. VARNELL
CASS COUNTY CLERK

## CASS COUNTY COMMISSIONERS' COURT
100 E. HOUSTON ST.
LINDEN, TEXAS

OCTOBER 28, 2025
REGULAR SESSION

**TO ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS GREETINGS: YOU ARE HEREBY NOTIFIED THAT A REGULAR SESSION OF THE COMMISSIONERS' COURT OF CASS COUNTY, TEXAS WILL CONVENE ON TUESDAY OCTOBER 28, 2025 AT 8:30 AM IN THE CASS COUNTY HISTORIC COURTHOUSE DISTRICT COURTROOM, SECOND FLOOR, LOCATED AT 100 E. HOUSTON ST., IN THE CITY OF LINDEN, CASS COUNTY, TEXAS, AT WHICH TIME AND PLACE THE FOLLOWING MATTERS WILL BE ADDRESSED AND APPROPRIATE ACTION TAKEN:**

**I. Call meeting to order**

**II. Invocation by Commissioner Kevin Young, Precinct 2**

**III. Flag Salute to the United States Flag and the Texas Flag**

**IV. Public Forum**

itizens to be heard in the public forum must list their name on the sign-in sheet before the ommissioners Court session. The purpose of this item is to allow citizens an opportunity to ddress the Commissioners Court on issues not listed on the agenda. Citizens wishing to testify on, for, or against a specific agenda item must sign in and will be called during that agenda item.

**V.** [redacted]

ll matters listed under Consent Agenda are considered to be routine by the Commissioners ourt and will be enacted by one motion without separate discussion. If discussion is desired, hat item will be removed from the Consent Agenda and will be considered separately.

1. Consider and take appropriate action regarding approval of the minutes from the October 14, 2025 Commissioners Court Regular Session.
2. Consider and take appropriate action regarding approval of bond Continuation Certificate for Kaylee Sutton as Assistant Auditor.
3. Matter of Record-Monthly reports for September 2025 from Constable Pct. 1; Litter Abatement Officer; and Douglassville & Naples fire departments.

**VI.** [redacted]

1. Notification by Sheriff Larry Rowe regarding additional funds added to the part-time deputy line item.
2. Consider and take appropriate action regarding approval of the certification of the FY 2025 Tax Roll. Presented by Angela Young.
3. Consider and take appropriate action regarding approval of the FY 2025 budget amendments. Presented by Lauren Ayers.
4. Consider and take appropriate action regarding approval of the Auditor's monthly financial report for September 2025. Presented by Lauren Ayers.
5. Consider and take appropriate action regarding approval of the Treasurer's monthly reports and investment reports. Presented by Melissa Shores.
6. Consider and take appropriate action regarding approval of the request for two District Attorney administrative personnel to attend the TDCAA Key Personnel and Crime Victim's Coordinator Conference in Grapevine November 5-7, 2025.
7. Consider and take appropriate action regarding approval of phone and internet contract renewal with ETEX for the Historic Courthouse, Justice Center, and Jail. Presented by Lauren Ayers.
8. Consider and take appropriate action regarding approval of SB22 grant adjustments. Presented by Lauren Ayers.
9. Consider and take appropriate action regarding approval of the County Auditor's financial report and approval of expenses. Presented by Auditor Lauren Ayers.

**VII.** [redacted]

1. Court Announcements

**VIII. ADJOURNMENT**

**NOTE: Cass County Commissioners Court reserves the right to conduct closed meetings on any agenda item in accordance with 551.071 – 551.076 of the Texas Government Code.**

**Respectfully,**

**R. TRAVIS RANSOM**
**CASS COUNTY JUDGE**

rtify that the above notice of meeting is a true and correct copy of said notice, and that same s posted on the bulletin board and on the north door of the North Building of the Cass County v Enforcement and Justice Center Building, a place readily accessible to the general public at times in accordance with Texas Government Code Chapter 551.

sted: October 22, 2025 at 2:52pm By: Sharon Brown

his work continues.
he Commissioners Court did not hold any regular session or workshop in ovember 2025.
s of December 9th, the most recent meeting reflected in the public record was eld on October 28.

he material presented in this compilation represents only a portion of the vailable record.
every unsigned or incomplete entry were included, the document would tend well beyond one hundred pages.
his selection is provided to illustrate the pattern that appears in the record uring the relevant period.

# FINAL REMARKS

two distinct emergencies presently before the Court. Mandamus A addresses the structural s that prevent the formation of a lawful venue. Mandamus B concerns the immediate al emergency involving the property at 122 W. Houston.

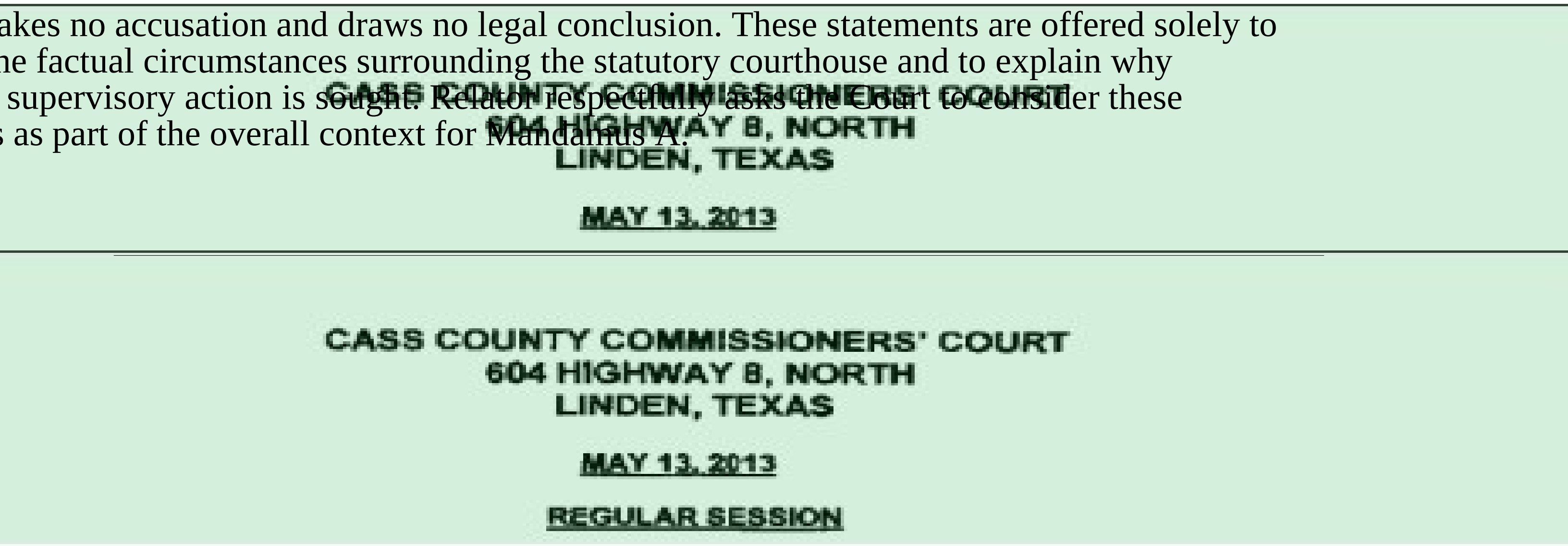
ect to Mandamus A, Relator states the following facts.

than a decade, the courthouse located at 100 E. Houston Street has operated without ersonnel. During this period, the building has remained open to the public, and essential nctions tied to the statutory seat have continued without the protections contemplated by

ff's Office has been aware of this condition for many years. Public records reflect ns regarding security needs at the courthouse and possible measures that could be ted. Relator attaches as an exhibit the May 13, 2013 Commissioners' Court minutes these discussions.

s observed that no security measures have been placed at the courthouse since that time. has informed Relator that requests for courthouse security have been made repeatedly. uests remain unresolved. The result is a longstanding condition in which both personnel ical records inside the courthouse remain unprotected.

akes no accusation and draws no legal conclusion. These statements are offered solely to he factual circumstances surrounding the statutory courthouse and to explain why supervisory action is sought. Relator respectfully asks the Court to consider these s as part of the overall context for Mandamus A.



CASS COUNTY COMMISSIONERS' COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

MAY 13, 2013

CASS COUNTY COMMISSIONERS' COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

MAY 13, 2013

REGULAR SESSION

GE'S REPORT

e McMichael spoke to the court about using the District Courtroom at the old courthouse to hold

## ADDITIONAL CONTEXT

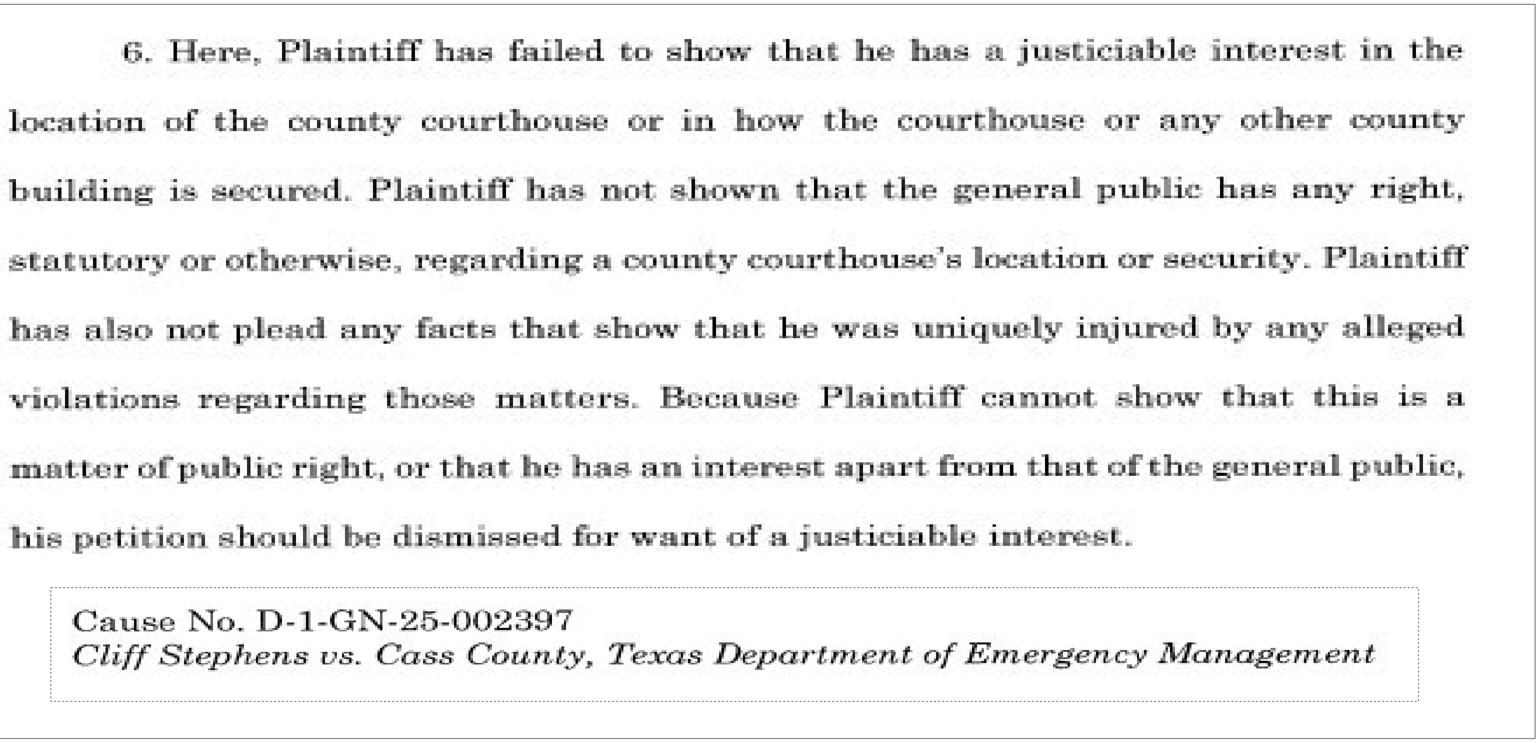
c records show that courthouse security has been a continuing subject of discussion in County for more than a decade. The Commissioners' Court minutes from May 13, reflect that the Sheriff informed county officials that he was reviewing options for ding security at the courthouse located at 100 East Houston Street. No security ures were implemented following that discussion.

or has observed that the courthouse remains open to the public without security. The has informed Relator that courthouse security has been requested multiple times over ears without resolution.

e state proceeding related to these events, the district court dismissed Relator's filing on asis that members of the public have no justiciable interest in the location of the house or in how courthouse security is provided. The dismissal order states:

ntiff has failed to show that he has a justiciable interest in the location of the county house or in how the courthouse or any other county building is secured. Plaintiff has hown that the general public has any right, statutory or otherwise, regarding a county house's location or security… Because Plaintiff cannot show that this is a matter of c right… his petition should be dismissed for want of a justiciable interest."

e statements are included here solely to describe the context in which Relator seeks lamus relief. They reflect that courthouse security conditions have been known to ty officials for many years, that no measures have been implemented, and that no ial forum within the county system has recognized a pathway for addressing these erns.



6. Here, Plaintiff has failed to show that he has a justiciable interest in the location of the county courthouse or in how the courthouse or any other county building is secured. Plaintiff has not shown that the general public has any right, statutory or otherwise, regarding a county courthouse's location or security. Plaintiff has also not plead any facts that show that he was uniquely injured by any alleged violations regarding those matters. Because Plaintiff cannot show that this is a matter of public right, or that he has an interest apart from that of the general public, his petition should be dismissed for want of a justiciable interest.

Cause No. D-1-GN-25-002397
*Cliff Stephens vs. Cass County, Texas Department of Emergency Management*

## PRIMARY EMERGENCY

tes the following facts regarding the operational emergency.

intains an Emergency Record located inside the statutory courthouse at 100 East
reet in Linden, Texas. This record was established to document an engineer-identified
azard and to ensure that all emergency-related communications remained housed within
seat courthouse.

6, 2025, Relator filed a written declaration of emergency inside the courthouse. The
requested immediate communication concerning the engineer's findings that a
ailure was imminent and that collapse could lead to a fire risk affecting the surrounding

three days following the filing of the declaration, Relator did not receive a response
y officials. Relator subsequently opened a case with the Texas Department of
Management ("TDEM") to facilitate communication of the engineer's findings to
dership.

nsmitted the emergency material to the appropriate county officials. As of the date of this
e than two hundred days have passed without acknowledgment of TDEM's
ation or the Emergency Record filed at the courthouse. Relator has continued to maintain
in its original location inside the statutory courthouse.

es not offer conclusions regarding the conduct or intent of any official. These statements
ed solely to describe the sequence of events following the filing of the emergency
, the communications with TDEM, and the absence of any response to those
ations over a period exceeding two hundred days.

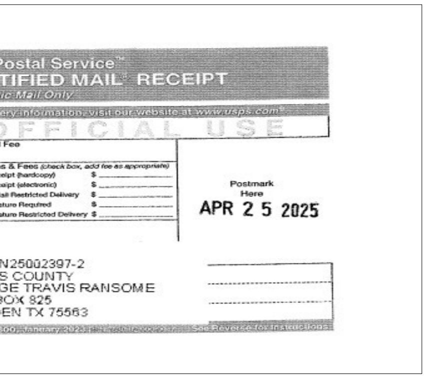
attempted to serve the Cass County Judge at the address provided by the county for official
ndence: P.O. Box 825 in Linden, Texas. This address appears on state and federal records
oint of contact for the County Judge, including for matters involving emergency
ication.

ified mail return receipt for the Emergency Record was signed by an individual identified
n Alexander." Relator has no information indicating that this individual is employed by, or
associated with, the Office of the County Judge. The receipt does not identify any physical
location where the County Judge can be personally served.

n the information available, all mail addressed to the County Judge is routed through a
mail handling area rather than a dedicated judicial office. As a result, there is no publicly
d physical location where emergency filings, judicial communications, or time-sensitive
s can be delivered directly to the County Judge.

offers no conclusion about the operation of county offices. These statements describe only
ner in which emergency communications were routed and received, and the absence of a
office with personnel authorized to accept judicial documents on behalf of the County

cts demonstrate a condition in which essential judicial communications, including
cy filings, cannot reliably reach the County Judge. This structural barrier prevents the
operation of emergency procedures and leaves Relator without any method to obtain
edgment or review within the county system.



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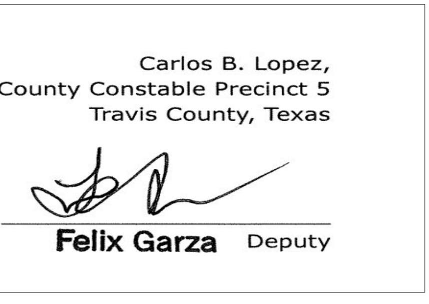
APR 2 5 2025

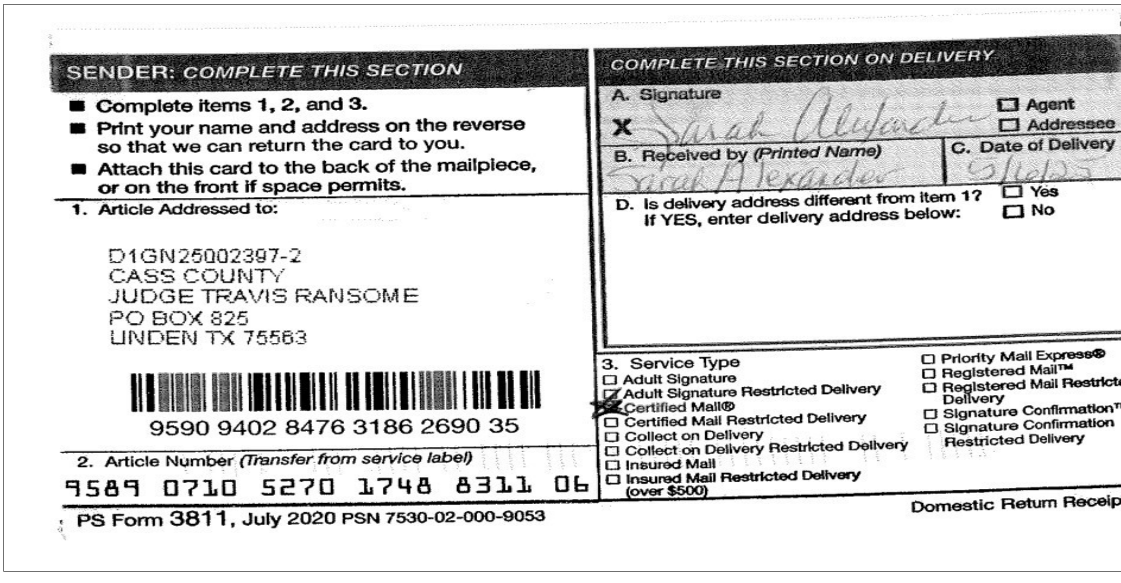
N25002397-2
S COUNTY
GE TRAVIS RANSOME
OX 825
EN TX 75563

00, January 2023 See Reverse for Instructions



Carlos B. Lopez,
County Constable Precinct 5
Travis County, Texas

**Felix Garza** Deputy



SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

D1GN25002397-2
CASS COUNTY
JUDGE TRAVIS RANSOME
PO BOX 825
LINDEN TX 75563

9590 9402 8476 3186 2690 35

2. Article Number (*Transfer from service label*)
9589 0710 5270 1748 8311 06

PS Form 3811, July 2020 PSN 7530-02-000-9053

*COMPLETE THIS SECTION ON DELIVERY*

A. Signature
X Sarah Alexander ☐ Agent ☐ Addressee

B. Received by (*Printed Name*) Sarah Alexander

C. Date of Delivery 5/10/25

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☐ Adult Signature
☑ Adult Signature Restricted Delivery
☒ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Insured Mail
☐ Insured Mail Restricted Delivery (over $500)
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricte Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

Domestic Return Receip

IDAVIT EXECUTION

iff Stephens, declare under penalty of perjury that the foregoing statements are true and
ct to the best of my knowledge.

uted on this 9th day of December, 2025.

liff Stephens

Stephens

tor

No. 25-40804

---

# In The United States Court Of Appeals

# For The Fifth Circuit

**In RE: CLIFF STEPHENS, Petitioner**

---

## Supplement to Petition for Writ of Mandamus

Respectfully submitted,

/s/ Cliff Stephens

Address on file

Email on file

Phone on file

Date: December 22, 2025

## I. Identity of Affiant and Limited Purpose of Affidavit

Affiant is the petitioner in Mandamus No. 25-40804 pending before the Fifth Court of Appeals.

Affiant submits an affidavit for record *correction*.

Affiant acts in a personal capacity.

Affiant alleges no misconduct.

Affidavit serves a limited purpose.

Purpose is clarification of public record availability.

Purpose is clarification of public record *timing*.

## II. Scope of Statements Addressed and Clarified

Affiant addresses prior statements concerning the condition of the public record.

Statements concerned public availability of records.

Statements concerned public *observability* of records.

Statements concerned timing of availability.

Statements did not address substance of actions taken.

Affidavit clarifies scope.

## III. Condition of the Public Record as of December 9, 2025

As of December 9, 2025, affiant reviewed the public record.

Review relied on publicly accessible sources.

Review relied on public-facing county interfaces.

The public record reflected no posted agendas for November or December meetings 2025.

The public record reflected no posted minutes for November or December meetings 2025.

The public record reflected no rolling docket entries for that period.

The public record showed a scheduling calendar only.

The calendar did not show posting dates.

The calendar did not show posting times.

The calendar did not show certification details.

No public interface displayed a contemporaneous audit trail.

No public interface displayed incremental publication history.

No public interface displayed time-stamped availability.

Affiant made statements based on this condition.

Statements were accurate on December 9, 2025.

## IV. Delivery of Notice to the Cass County Clerk

On December 15, 2025, affiant delivered notice to the Cass County Clerk.

Notice consisted of The Affidavit of Venue Failure.

Affidavit stated that no public documents had been updated as of December 9, 2025.

Delivery was informational.

Delivery was corrective.

Delivery was not adversarial.

Delivery sought review of record condition.

Notice preceded any subsequent changes to public-facing records.

## V. Subsequent Batch Appearance of Records

After delivery of notice, additional records appeared in public-facing systems.

Records appeared within days of notice.

Records reflected meetings from multiple dates.

Records appeared together.

Records did not appear incrementally.

Records did not appear over time.

Public interfaces displayed multiple documents at once.

Public interfaces did not display posting sequence.

Affiant observed this appearance after notice.

Affiant records sequence only.

## VI. Observable Characteristics of Record Release

Released records shared uniform file formats.

Released records shared similar rendering characteristics.

Released records displayed consistent visual presentation.

Metadata reflected clustered creation times.

Metadata reflected clustered modification times.

Records appeared as scanned or flattened files.

Records lacked individual publication markers.

Records lacked visible version history.

Characteristics were observable on the public record.

Observations required no inference.

## VII. Clarification Regarding Existence of Meetings and Documents

Affiant did not deny existence of meetings.

Affiant does not deny existence of documents.

Affidavit addresses public availability only.

Affidavit addresses public observability only.

Affidavit addresses timing of availability only.

Affidavit does not address substance of actions taken.

Affidavit does not address validity of proceedings.

Affidavit remains corrective in scope.

## VIII. Effect of Post-Notice Batch Release on Interpretation of Prior Statements

Later appearance of records does not alter prior statements.

Later appearance of records does not contradict prior statements.

Prior statements must be read as time bound.

Accuracy is measured at time of statement.

Accuracy is measured by public record condition.

Accuracy is not measured by later releases.

Batch release occurred after statements were made.

Batch release cannot retroactively change record condition.

Clarification prevents misinterpretation.

## IX. Limiting Statement and Reservation of Rights

Affidavit is submitted for record correction only.

Affidavit seeks no relief.

Affidavit requests no findings.

Affidavit implies no causation.

Affidavit expands no claims.

Affiant reserves all rights.

Reservation includes procedural rights.

Reservation includes substantive rights.

## X. Verification

Affiant declares that the foregoing statements are true and correct.

Statements are based on personal knowledge.

Statements are made under penalty of perjury pursuant to Texas Civil Practice and Remedies Code § 132.001.

Affiant executed this declaration voluntarily.

Affiant understands this declaration may be relied upon by the Court.

## UNSWORN DECLARATION

I declare under penalty of perjury that the foregoing statements are true and correct.

Executed in the State of Texas on this 22 day of December, 2025.

Cliff Stephens

Cliff Stephens

Affiant

## ENDIX INDEX

### ndix A - Public-Facing Record as of December 19, 2025

ains screenshots and captures of Cass County's publicly accessible dockets, notices, and d interfaces as they appeared on December 19, 2025, reflecting the record available to the c at that time.

### ndix B - County Commissioners Metadata Analysis (Cass County and Harrison County)

ains metadata analysis of County Commissioners Court filings, comparing Cass County ds with Harrison County records to evaluate file format, timing, and posting practices.

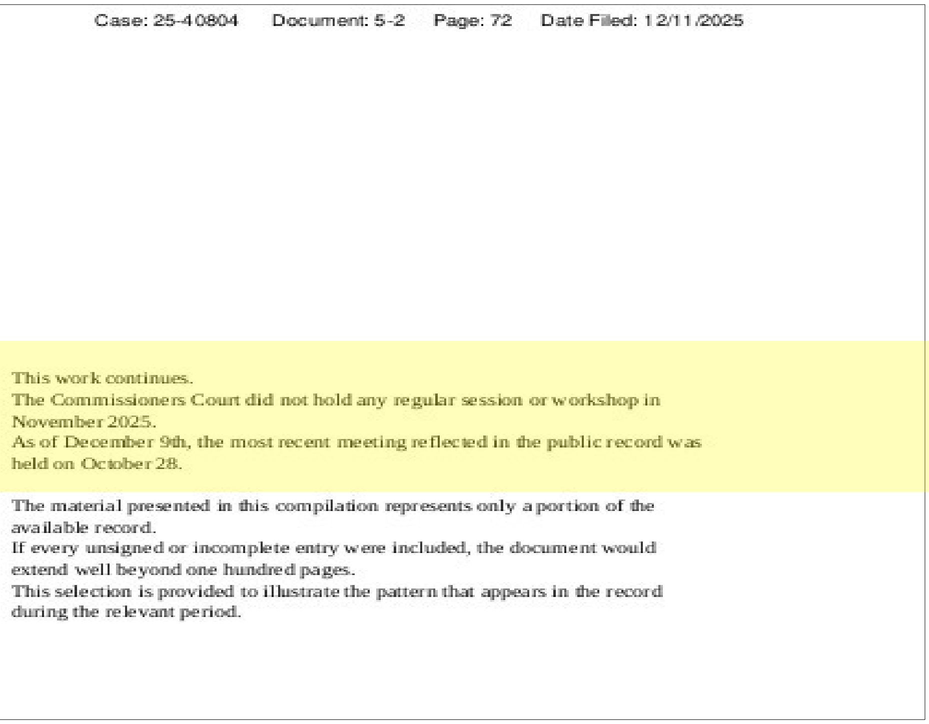
### ndix C - Publicly Available Administrative Materials (Bowie County Reference)

ains publicly available administrative materials, including correspondence and court-facing mentation, with Bowie County cited for reference regarding administrative practices in the ice of local rules.

### ndix D - Direct County Comparison (Cass, Marion, and Morris Counties)

ains side-by-side comparisons of Cass County, Marion County, and Morris County addressing house designation, record accessibility, and public-facing administrative structure.

NDIX A : PUBLIC FACING RECORD AS OF DECEMBER 19th, 2025.
ILIGHTED BATCHED FILES AFTER DECEMBER 9th )



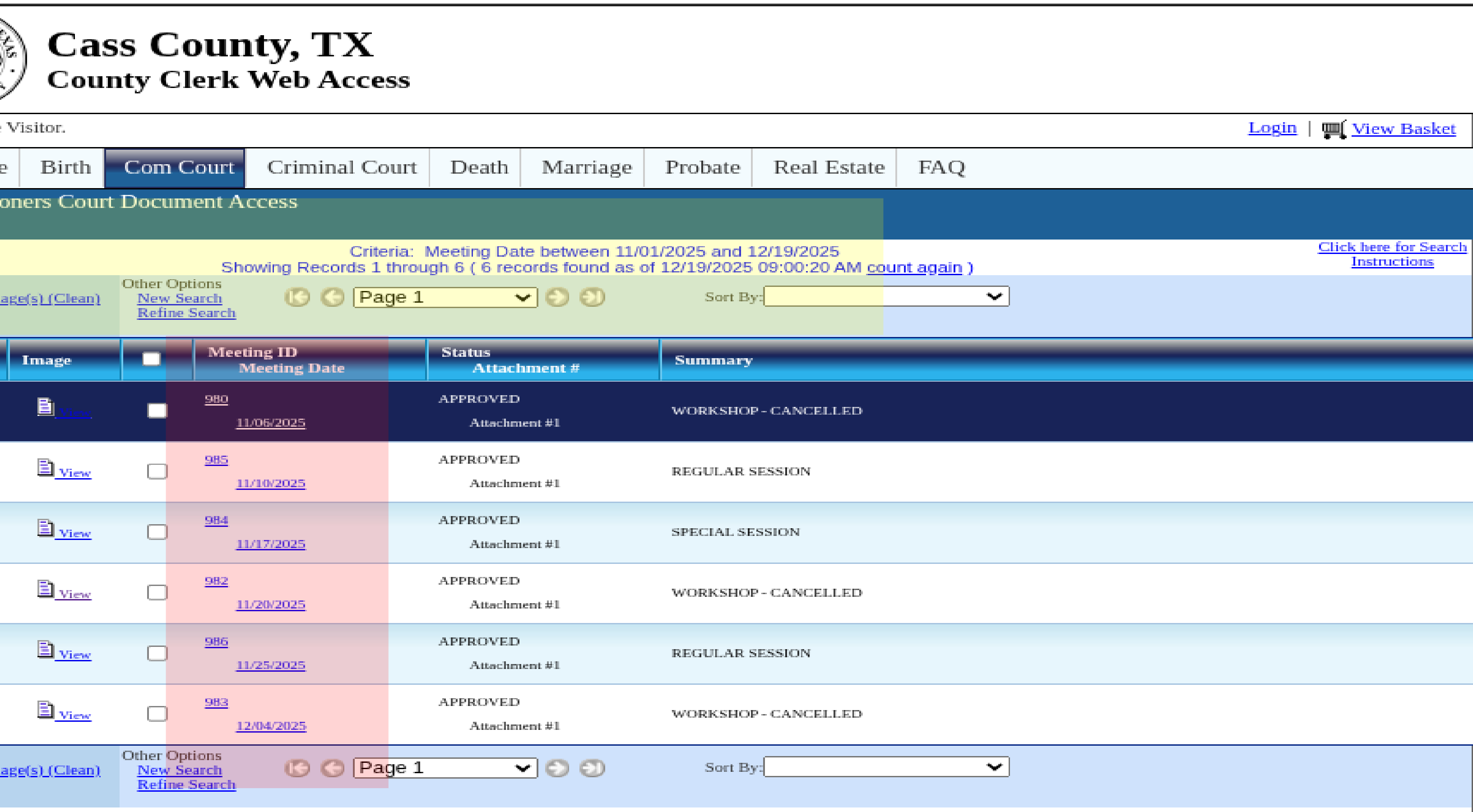
Case: 25-40804 Document: 5-2 Page: 72 Date Filed: 12/11/2025

This work continues.
The Commissioners Court did not hold any regular session or workshop in November 2025.
As of December 9th, the most recent meeting reflected in the public record was held on October 28.

The material presented in this compilation represents only a portion of the available record.
If every unsigned or incomplete entry were included, the document would extend well beyond one hundred pages.
This selection is provided to illustrate the pattern that appears in the record during the relevant period.

*“The Commissioners Court did not hold any regular session or workshop in November 2025.*

*As of December 9th, the most recent meeting reflected in the public record was held on October 28.”*



**Cass County, TX**
**County Clerk Web Access**

Visitor.
Login | View Basket
e Birth Com Court Criminal Court Death Marriage Probate Real Estate FAQ
oners Court Document Access

Criteria: Meeting Date between 11/01/2025 and 12/19/2025
Showing Records 1 through 6 ( 6 records found as of 12/19/2025 09:00:20 AM count again )

Click here for Search Instructions
age(s) (Clean)
Other Options
New Search
Refine Search
Page 1
Sort By:

| Image | ☐ | Meeting ID<br>Meeting Date | Status<br>Attachment # | Summary |
|---|---|---|---|---|
| View | ☐ | 980<br>11/06/2025 | APPROVED<br>Attachment #1 | WORKSHOP - CANCELLED |
| View | ☐ | 985<br>11/10/2025 | APPROVED<br>Attachment #1 | REGULAR SESSION |
| View | ☐ | 984<br>11/17/2025 | APPROVED<br>Attachment #1 | SPECIAL SESSION |
| View | ☐ | 982<br>11/20/2025 | APPROVED<br>Attachment #1 | WORKSHOP - CANCELLED |
| View | ☐ | 986<br>11/25/2025 | APPROVED<br>Attachment #1 | REGULAR SESSION |
| View | ☐ | 983<br>12/04/2025 | APPROVED<br>Attachment #1 | WORKSHOP - CANCELLED |

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Other Options
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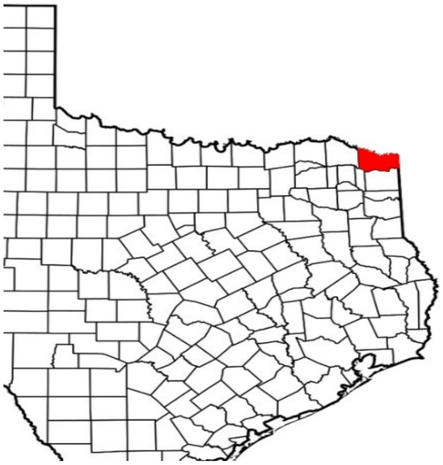
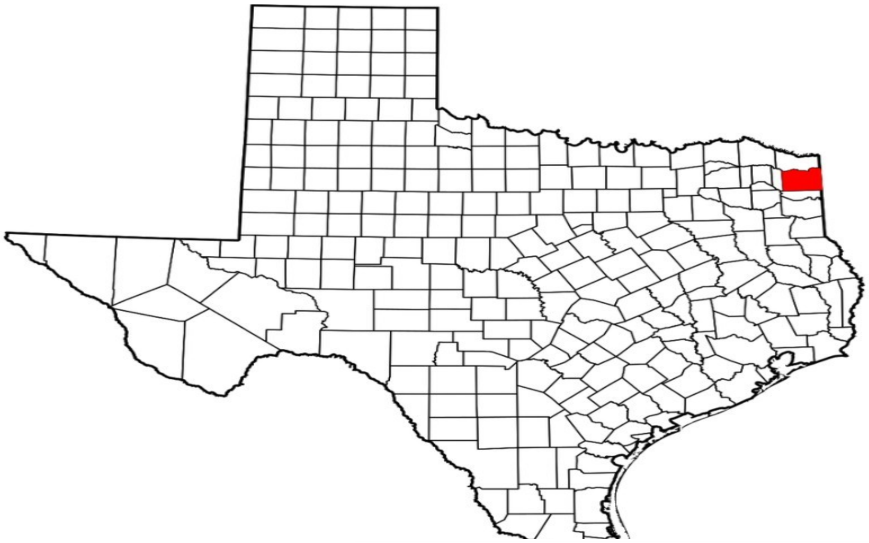
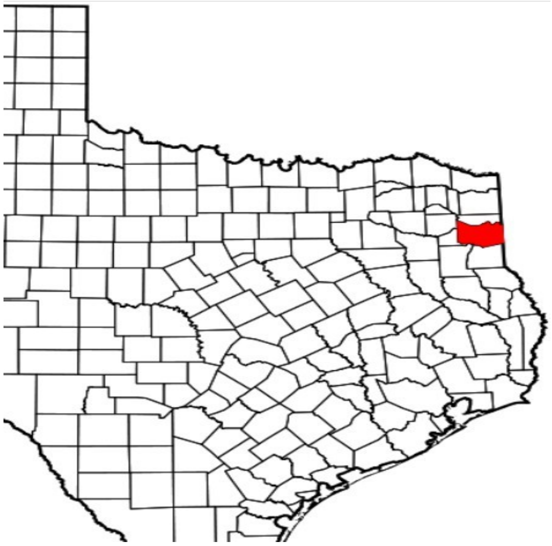
# DIX B.1 : COUNTY COMMISSIONERS COURT METADATA COMPARISON



BOWIE COUNTY COURTHOUSE
Population 92,000

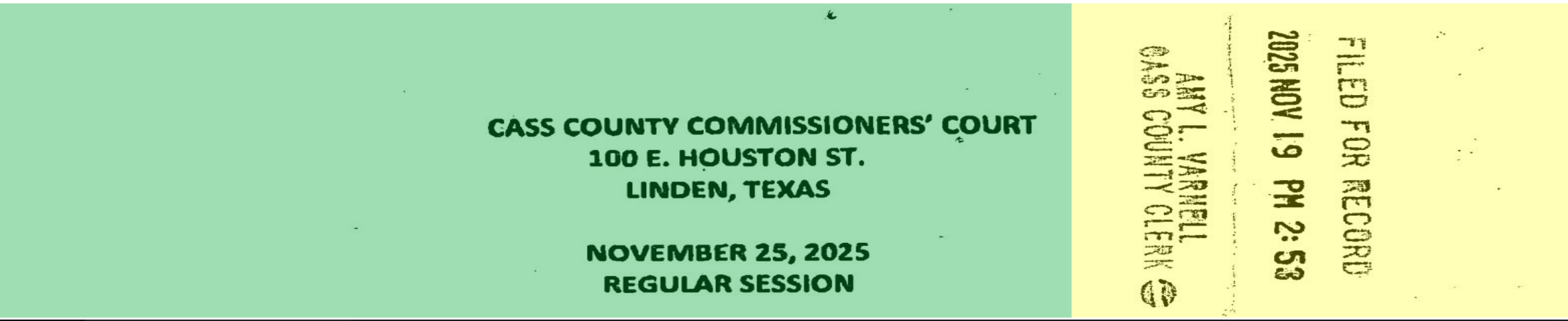


CASS COUNTY COURTHOUSE
Population 28,000



HARRISON COUNTY HISTORIC COURTHOUSE
Population 66,000

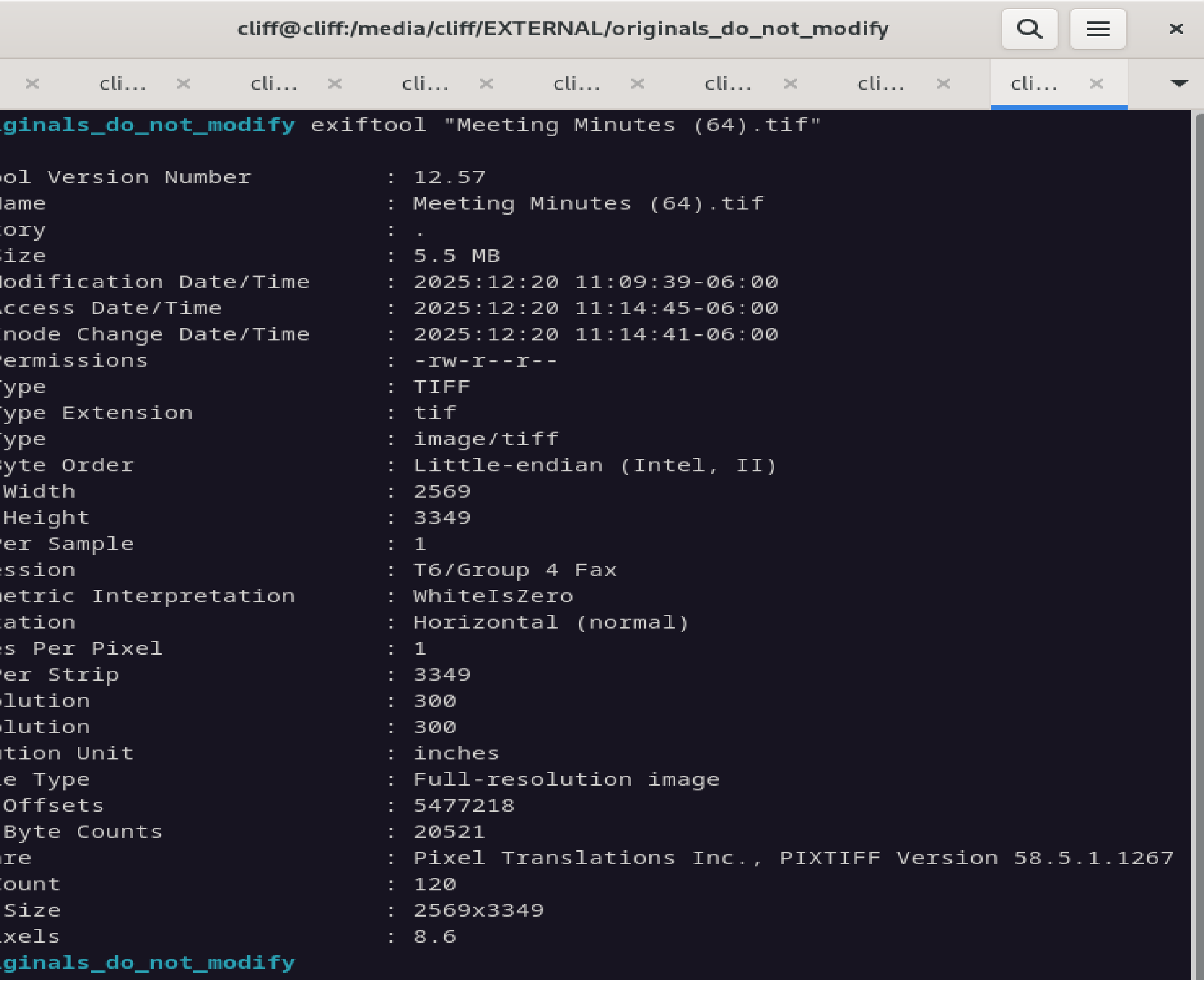
DIX B.3 : LAST PUBLICLY AVAILABLE MEETING MINUTES
COUNTY COMMISSIONERS COURT)



CASS COUNTY COMMISSIONERS' COURT
100 E. HOUSTON ST.
LINDEN, TEXAS

NOVEMBER 25, 2025
REGULAR SESSION

FILED FOR RECORD
2025 NOV 19 PM 2:53
AMY L. VARNELL
CASS COUNTY CLERK



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ype                           : TIFF
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yte Order                     : Little-endian (Intel, II)
Width                         : 2569
Height                        : 3349
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tion Unit                     : inches
e Type                        : Full-resolution image
Offsets                       : 5477218
Byte Counts                   : 20521
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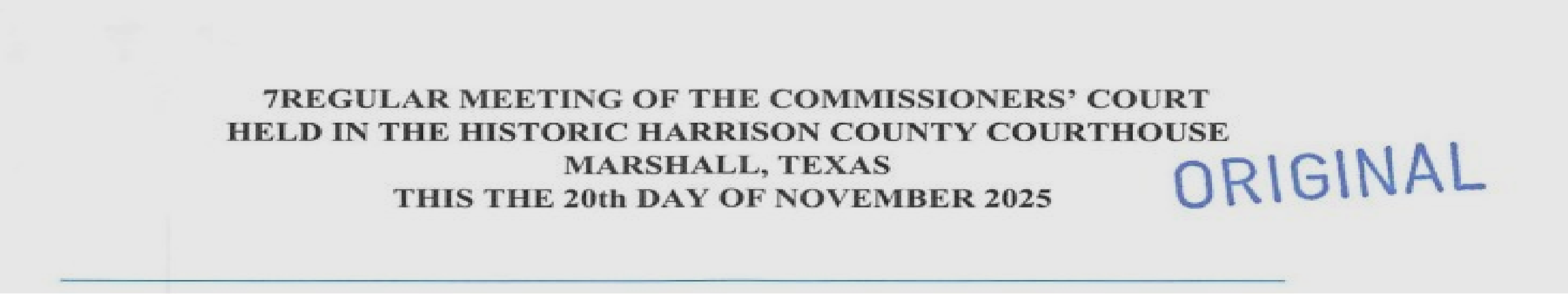
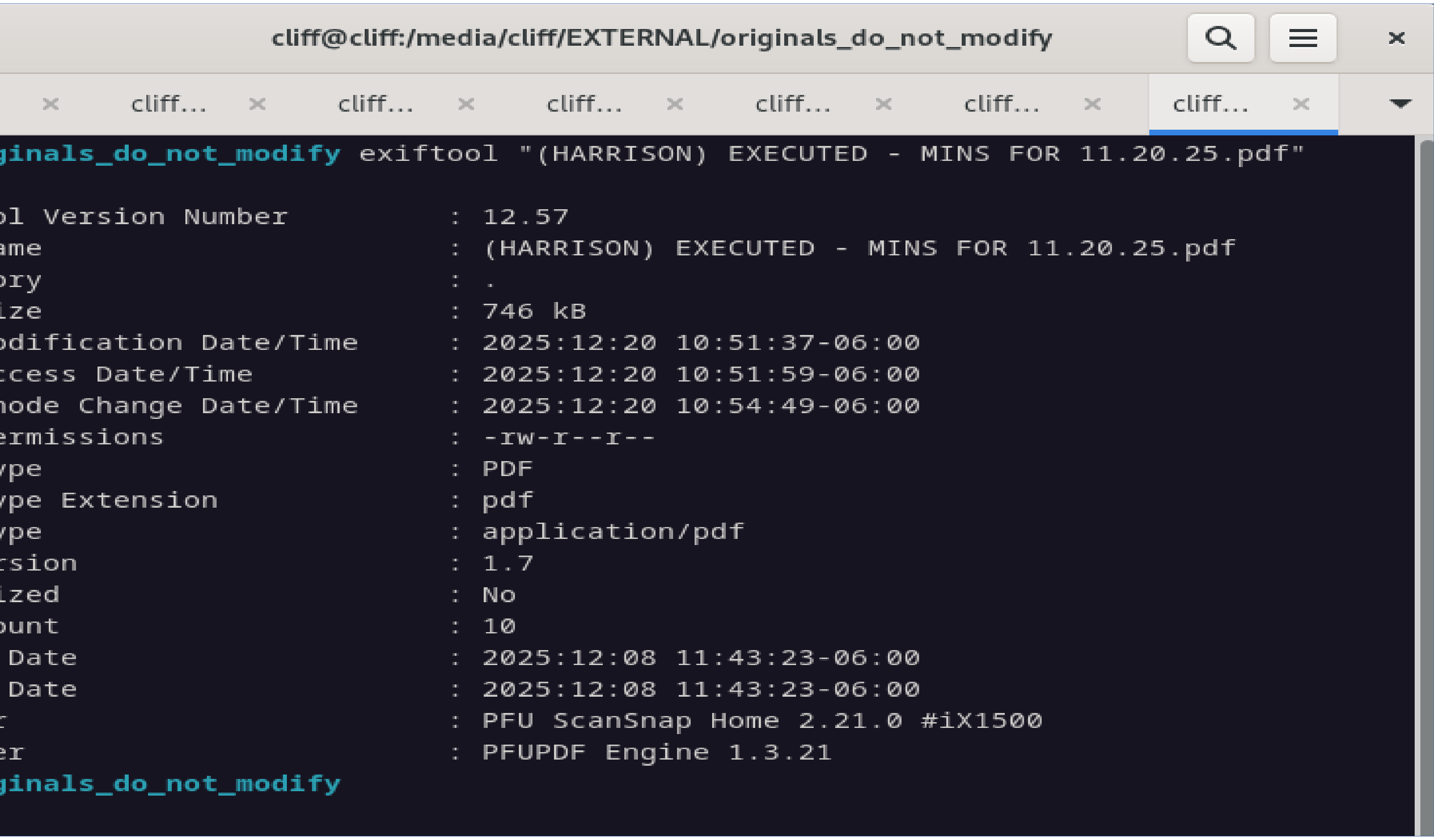
DIX B.4 : LAST PUBLICLY AVAILABLE MEETING MINUTES

ISON COUNTY COMMISSIONERS COURT) NOVEMBER 20th, 2025



7REGULAR MEETING OF THE COMMISSIONERS' COURT
HELD IN THE HISTORIC HARRISON COUNTY COURTHOUSE
MARSHALL, TEXAS
THIS THE 20th DAY OF NOVEMBER 2025

ORIGINAL



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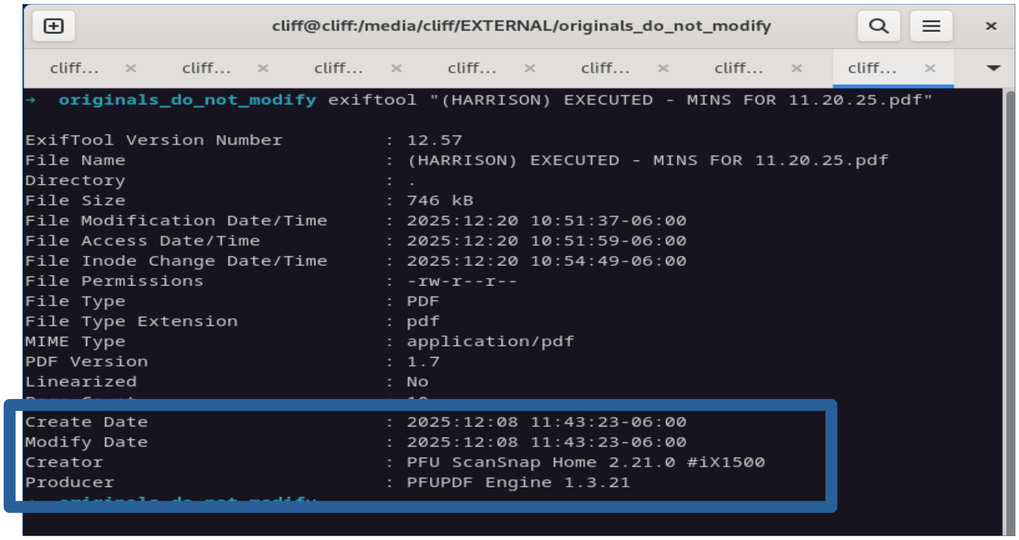
ttps://www.harrisoncountytexas.gov/upload/page/11952/2025/EXECUTED%20-%20MINS%20FOR%2011.20.25.pdf

DIX B.5 (1/3)

HARRISON COUNY COMMISSIONER COURT



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Producer                        : PFUPDF Engine 1.3.21
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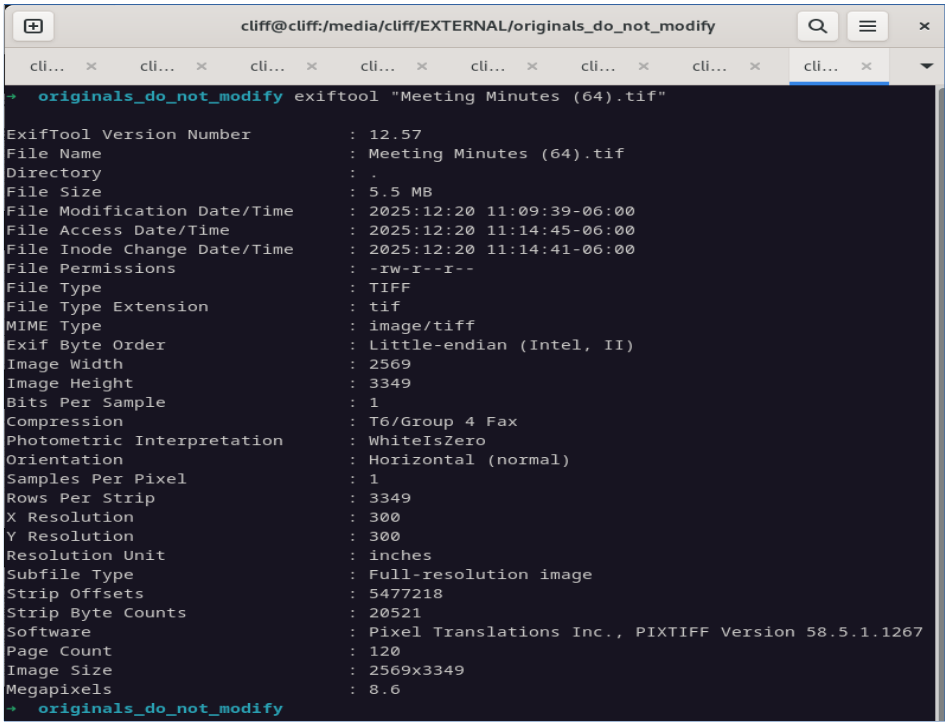
MENT CREATOR

n County executed minutes disclose **creator and producer** metadata. Cass County
g minutes do not disclose creator or producer metadata. Creator metadata identifies the
esponsible for originating the document creation task. Producer metadata identifies the
that finalized the document into its present form.

er, the creator and producer metadata establish the location of document creation within
ord lifecycle.

CASS COUNY COMMISSIONER COURT



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DIX B.5 (2 of 3)
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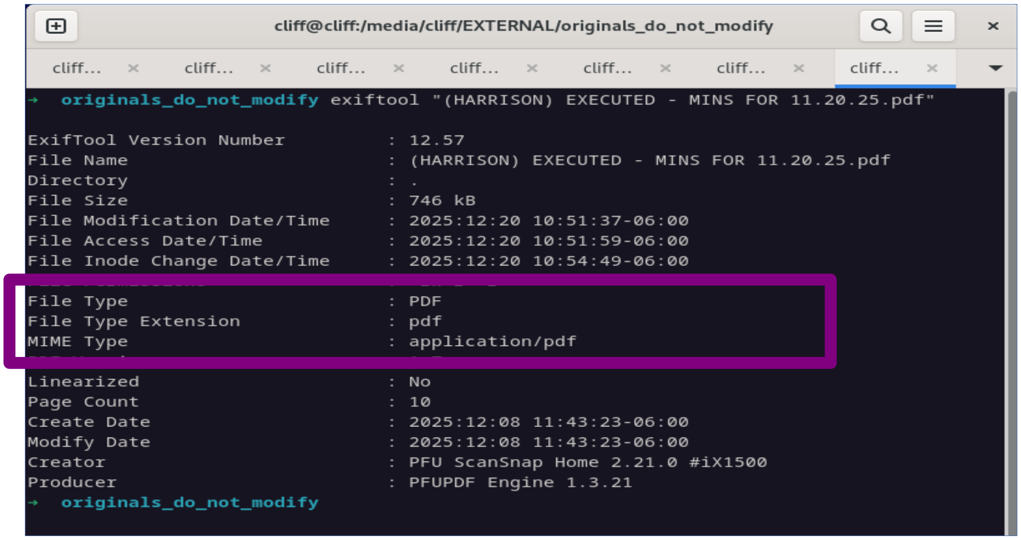
HARRISON COUNY COMMISSIONER COURT



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Producer                        : PFUPDF Engine 1.3.21
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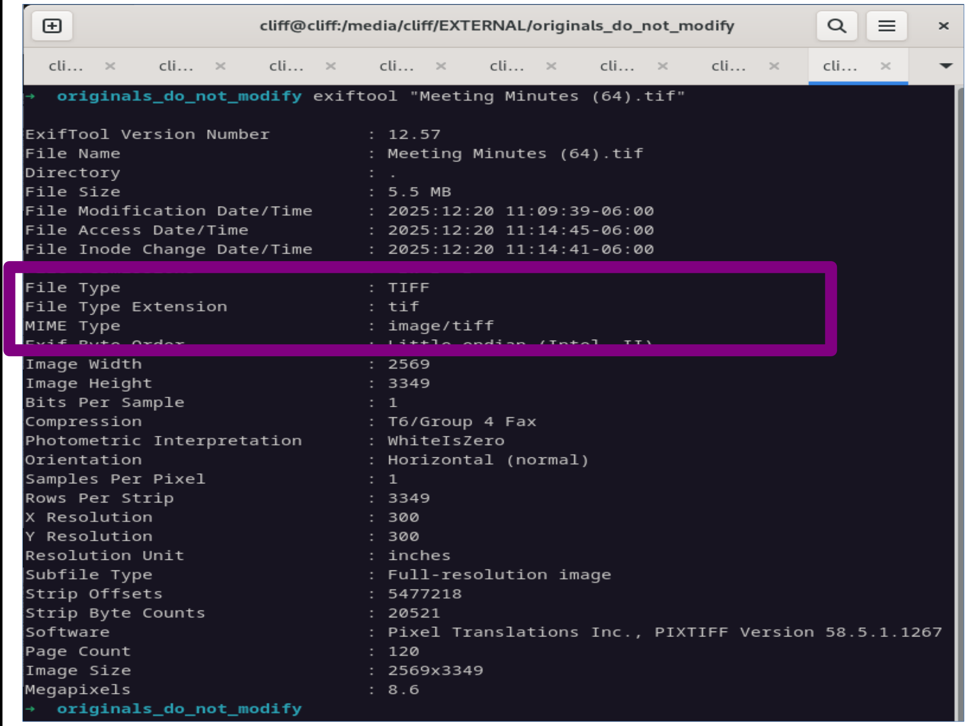
**ING**

n County executed minutes are preserved as a document file. Cass County meeting s are preserved as an image file. Harrison County executed minutes are maintained a document preservation workflow. Cass County meeting minutes are maintained within ge transmission workflow. Document formats support record creation, storage, and l. Image formats support routing, transmission, and visual reproduction.

mat indicates how a record is routed after creation.

CASS COUNY COMMISSIONER COURT



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File Access Date/Time           : 2025:12:20 11:14:45-06:00
File Inode Change Date/Time     : 2025:12:20 11:14:41-06:00
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File Type Extension             : tif
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Image Height                    : 3349
Bits Per Sample                 : 1
Compression                     : T6/Group 4 Fax
Photometric Interpretation      : WhiteIsZero
Orientation                     : Horizontal (normal)
Samples Per Pixel               : 1
Rows Per Strip                  : 3349
X Resolution                    : 300
Y Resolution                    : 300
Resolution Unit                 : inches
Subfile Type                    : Full-resolution image
Strip Offsets                   : 5477218
Strip Byte Counts               : 20521
Software                        : Pixel Translations Inc., PIXTIFF Version 58.5.1.1267
Page Count                      : 120
Image Size                      : 2569x3349
Megapixels                      : 8.6
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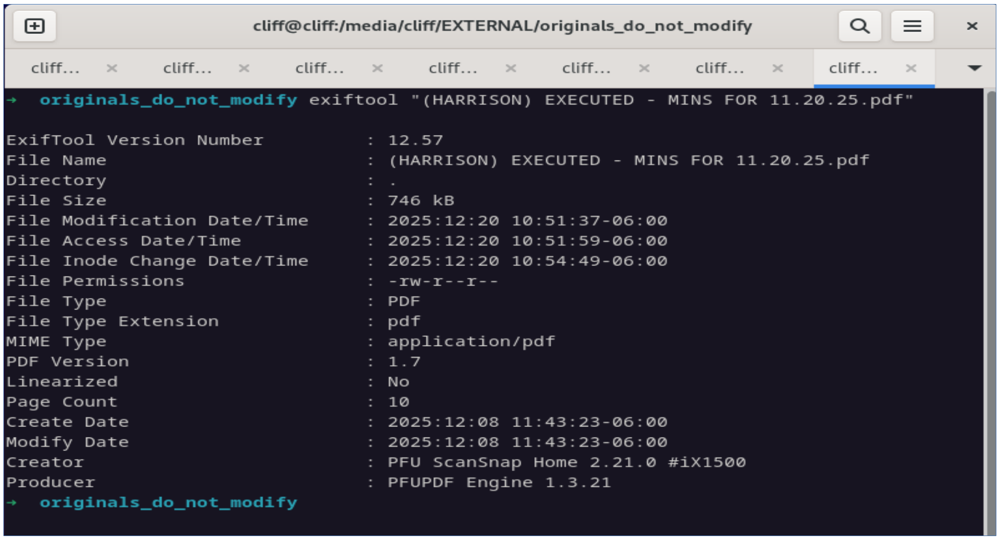
DIX B.5 (3 of 3)

HARRISON COUNY COMMISSIONER COURT



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File Size                       : 746 kB
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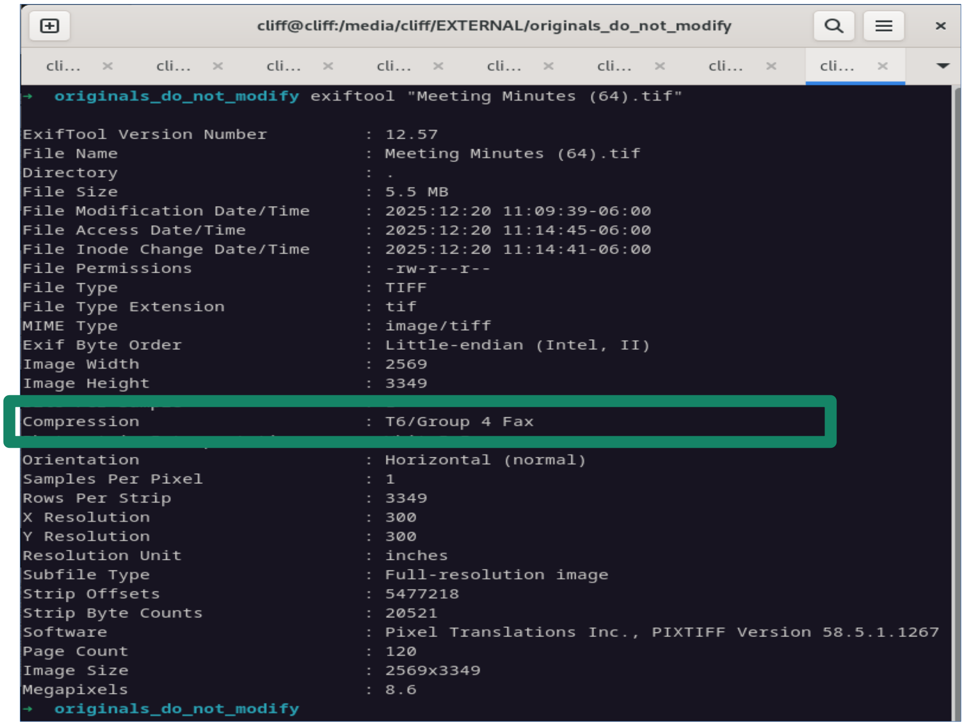
File Access Date/Time           : 2025:12:20 10:51:59-06:00
File Inode Change Date/Time     : 2025:12:20 10:54:49-06:00
File Permissions                : -rw-r--r--
File Type                       : PDF
File Type Extension             : pdf
MIME Type                       : application/pdf
PDF Version                     : 1.7
Linearized                      : No
Page Count                      : 10
Create Date                     : 2025:12:08 11:43:23-06:00
Modify Date                     : 2025:12:08 11:43:23-06:00
Creator                         : PFU ScanSnap Home 2.21.0 #iX1500
Producer                        : PFUPDF Engine 1.3.21
→ originals_do_not_modify
```

## RESSION

n County executed minutes do not use transmission-grade compression. Cass County g minutes use **Group 4 Fax** compression. Document formats do not require compression ord preservation. Image transmission formats rely on compression to facilitate routing dling.

ession method reflects how a record is physically handled after creation.

CASS COUNY COMMISSIONER COURT



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File Inode Change Date/Time     : 2025:12:20 11:14:41-06:00
File Permissions                : -rw-r--r--
File Type                       : TIFF
File Type Extension             : tif
MIME Type                       : image/tiff
Exif Byte Order                 : Little-endian (Intel, II)
Image Width                     : 2569
Image Height                    : 3349

Compression                     : T6/Group 4 Fax

Orientation                     : Horizontal (normal)
Samples Per Pixel               : 1
Rows Per Strip                  : 3349
X Resolution                    : 300
Y Resolution                    : 300
Resolution Unit                 : inches
Subfile Type                    : Full-resolution image
Strip Offsets                   : 5477218
Strip Byte Counts               : 20521
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Megapixels                      : 8.6
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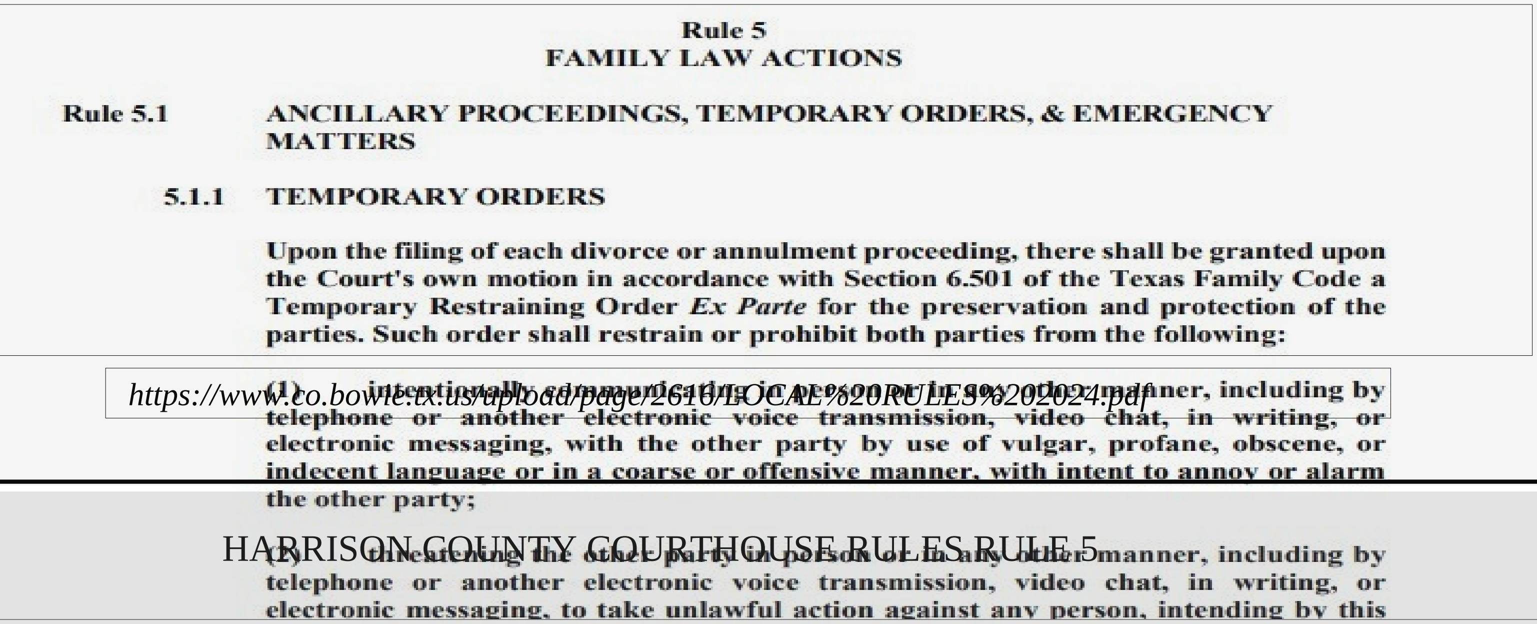
## BOWIE COUNTY COURTHOUSE RULES RULE 5



**Rule 5**
**FAMILY LAW ACTIONS**

**Rule 5.1 ANCILLARY PROCEEDINGS, TEMPORARY ORDERS, & EMERGENCY MATTERS**

**5.1.1 TEMPORARY ORDERS**

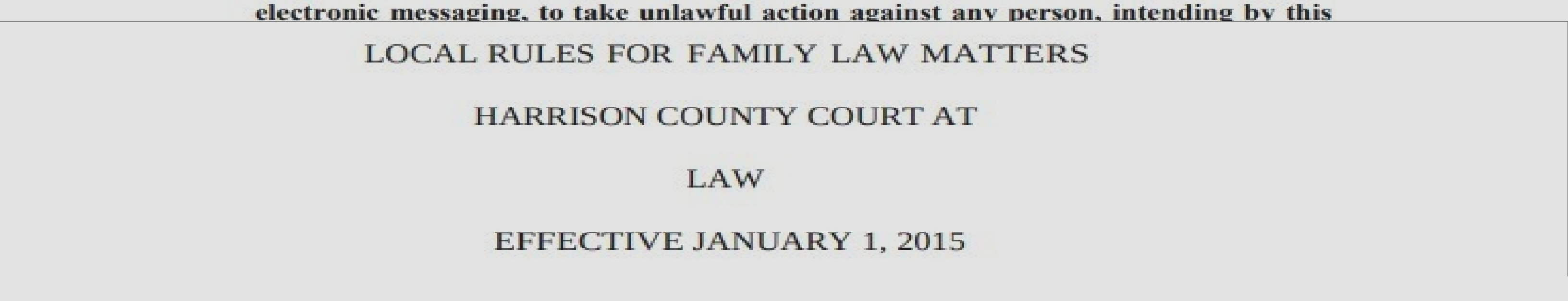
**Upon the filing of each divorce or annulment proceeding, there shall be granted upon the Court's own motion in accordance with Section 6.501 of the Texas Family Code a Temporary Restraining Order *Ex Parte* for the preservation and protection of the parties. Such order shall restrain or prohibit both parties from the following:**

**(1) intentionally communicating in person or in any other manner, including by telephone or another electronic voice transmission, video chat, in writing, or electronic messaging, with the other party by use of vulgar, profane, obscene, or indecent language or in a coarse or offensive manner, with intent to annoy or alarm the other party;**

**(2) threatening the other party in person or in any other manner, including by telephone or another electronic voice transmission, video chat, in writing, or electronic messaging, to take unlawful action against any person, intending by this**

*https://www.co.bowie.tx.us/upload/page/2616/LOCAL%20RULES%202024.pdf*

## HARRISON COUNTY COURTHOUSE RULES RULE 5

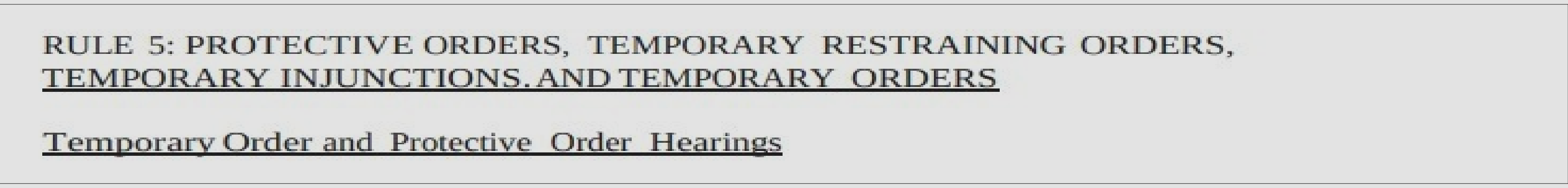


LOCAL RULES FOR FAMILY LAW MATTERS

HARRISON COUNTY COURT AT

LAW

EFFECTIVE JANUARY 1, 2015



RULE 5: PROTECTIVE ORDERS, TEMPORARY RESTRAINING ORDERS, TEMPORARY INJUNCTIONS. AND TEMPORARY ORDERS

Temporary Order and Protective Order Hearings

*//www.harrisoncountytexas.gov/upload/page/11887/2024/Local%20Rules._Harrison%20County%20CCL.pdf*

---

. County

ublished local court rules for Cass County could be located through publicly available ty websites or court resources or any other outlet at the time of this filing. Petitioner e direct inquiry to the Cass County District Court and Court Coordinator requesting a to any published local court rules. No response providing such rules has been received.

## C.2 – EMAIL EXCHANGE WITH COURT COORDINATOR KEISHA SHELLING (DISTRICT 5)

---

**OING**
ecember 20, 2025
Petitioner Stephens
isha Shelling, 5th District Court Coordinator, Cass County

*may I find the Local Rules for the Court in Cass County?*
*provide a link if you have one.*

*ephens*

---

**MING**
Keisha Shelling, 5th District Court Coordinator, Cass County
itioner
ecember 22, 2025

orning,

ounty does not have Local Rules. Please let me know if you have any other questions.

tfully,
Shelling

---

**OING**

ecember 22, 2025

anks for responding.

he mechanism an emergency matter is formally filed, acknowledged, and routed in Cass
?

ephens

---

**IING**
ecember 22, 2025

,

You must E-file your motion and order for the Judge’s review. Once your order is routed to
District Judge, he will review it, and either sign your order or reject it. You may also contact me
der needs immediate attention, and I will bring it to the Judge’s attention for immediate review. I
t answers your question. Thank you!!

Shelling

## D.1 : DIRECT COUNTY COMPARISON ( MARION COUNTY )

MARION COUNTY COURTHOUSE
POPULATION (10,546)

RULES OF PROCEDURE, CONDUCT AND DECORUM
AT MEETINGS OF THE
MARION COUNTY COMMISSIONERS COURT

**ty Judge**
d J. LaFleur
County Judge
ustin, Room 205
on, Texas 75657
5-3261 / fax 903-665-8732

PHYSICAL LOCATION

**District Clerk**
Susan Anderson
P.O. Box 628
102 W Austin, Room 303
Jefferson, TX 75657

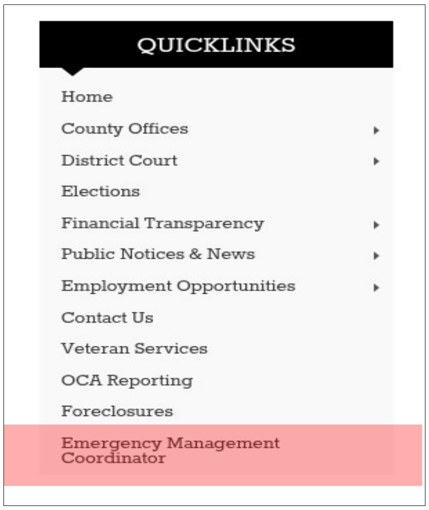
PHYSICAL LOCATION

**ty Sheriff**
David Capps
Austin
on, TX 75657
903-665-7201

PHYSICAL OFFICE

**How to find us.**
Marion County Courthouse
102 W. Austin
Jefferson, TX 75657

COUNTY SEAT
PHYSICAL ADDRESS


QUICKLINKS
Home
County Offices
District Court
Elections
Financial Transparency
Public Notices & News
Employment Opportunities
Contact Us
Veteran Services
OCA Reporting
Foreclosures
Emergency Management Coordinator

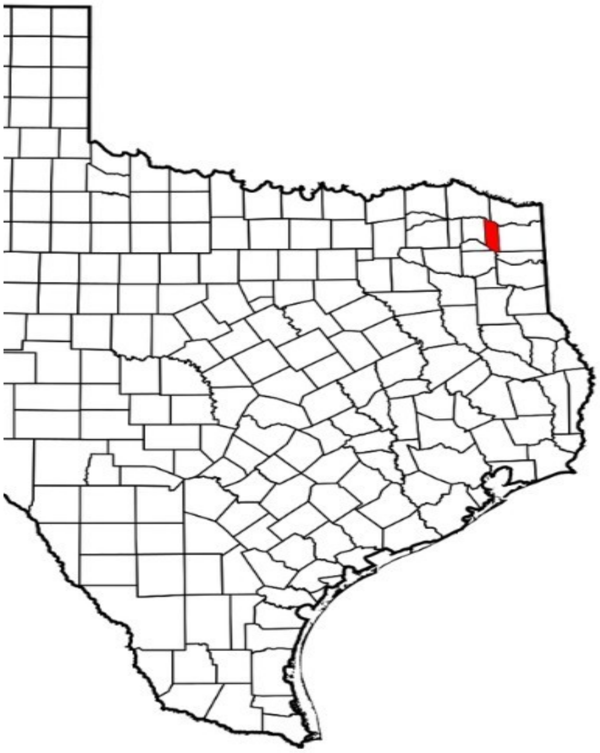
EMERGENCY
COORDINATION

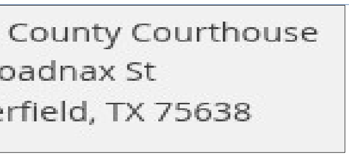
https://www.co.marion.tx.us/

## lix D.2 : DIRECT COUNTY COMPARISON ( MORRIS COUNTY )

MORRIS COUNTY
COURTHOUSE

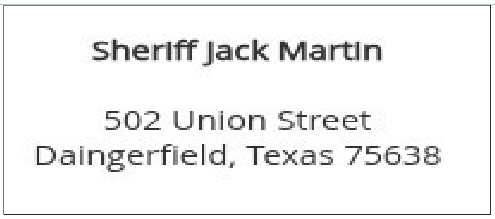
MORRIS COUNTY COURTHOUSE
POPULATION (12,000)





County Courthouse
oadnax St
rfield, TX 75638

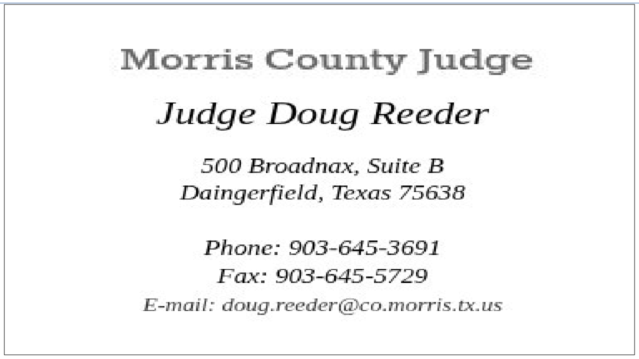
OUNTY SEAT
CAL LOCATION



Sheriff Jack Martin

502 Union Street
Daingerfield, Texas 75638

SHERIFFS OFFICE
PHYSICAL LOCATION



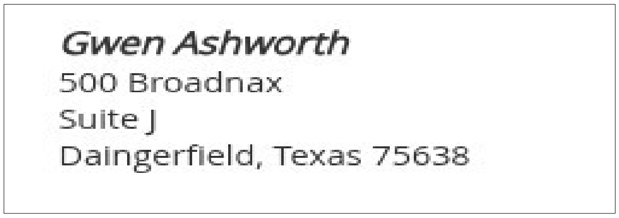
Morris County Judge

*Judge Doug Reeder*

*500 Broadnax, Suite B*
*Daingerfield, Texas 75638*

*Phone: 903-645-3691*
*Fax: 903-645-5729*
*E-mail: doug.reeder@co.morris.tx.us*

PHYSICAL LOCATION



*Gwen Ashworth*
500 Broadnax
Suite J
Daingerfield, Texas 75638

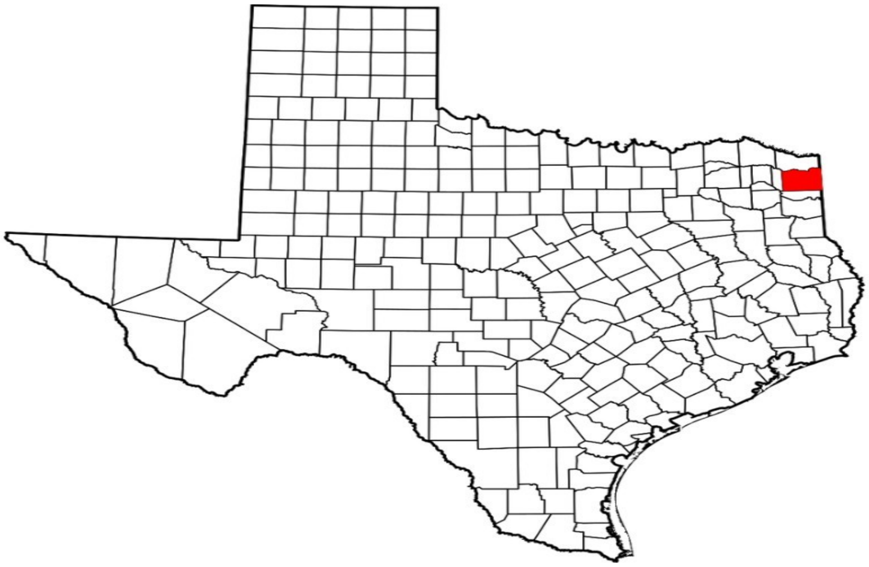
PHYSICAL LOCATION

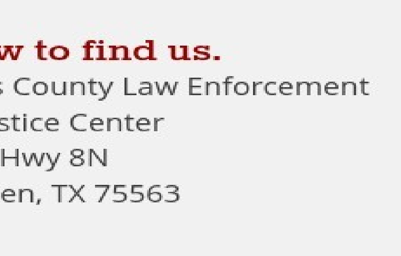
https://www.co.morris.tx.us/

## D.3 : DIRECT COUNTY COMPARISON ( CASS COUNTY )

CASS COUNTY COURTHOUSE

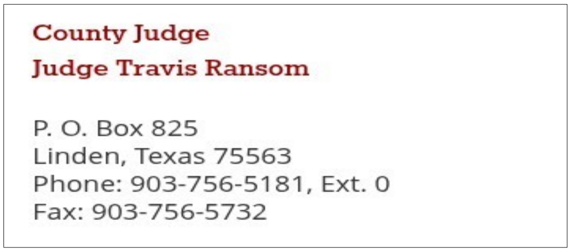
Population 28,000





w to find us.
; County Law Enforcement
stice Center
Hwy 8N
en, TX 75563

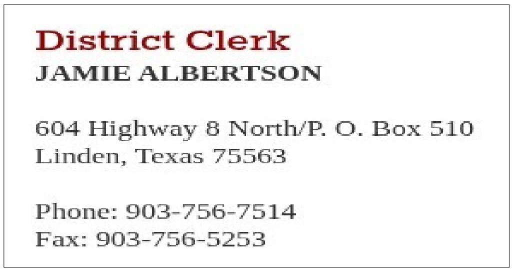
COUNTY SEAT?



County Judge
Judge Travis Ransom

P. O. Box 825
Linden, Texas 75563
Phone: 903-756-5181, Ext. 0
Fax: 903-756-5732

OFFICE LOCATION?

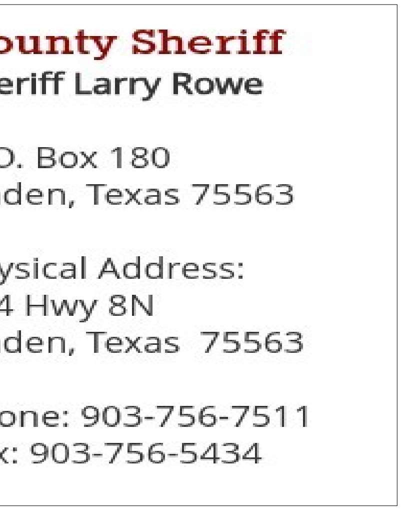


District Clerk
JAMIE ALBERTSON

604 Highway 8 North/P. O. Box 510
Linden, Texas 75563

Phone: 903-756-7514
Fax: 903-756-5253

OFFICE LOCATION?



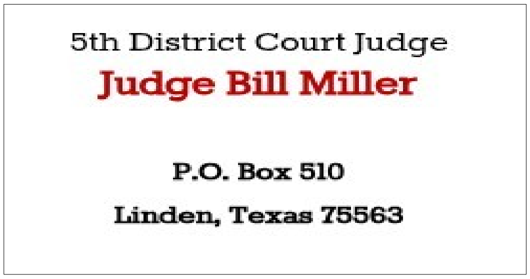
ounty Sheriff
eriff Larry Rowe

D. Box 180
den, Texas 75563

ysical Address:
4 Hwy 8N
den, Texas 75563

one: 903-756-7511
c: 903-756-5434

FFICE LOCATION?

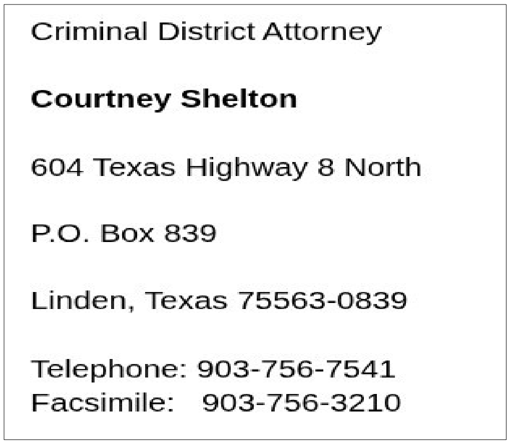


5th District Court Judge
Judge Bill Miller

P.O. Box 510

Linden, Texas 75563

OFFICE LOCATION?



Criminal District Attorney

Courtney Shelton

604 Texas Highway 8 North

P.O. Box 839

Linden, Texas 75563-0839

Telephone: 903-756-7541
Facsimile: 903-756-3210

OFFICE LOCATION.

https://www.co.cass.tx.us/

**of Image Based Record Architecture**

**y Effects**

**y Effect 1: Oversight Indexing Failure**

ersight systems rely on automated text analysis to observe court and county activity. When are routed as images rather than documents, oversight platforms receive filings that can be stored, and logged. Those filings cannot be examined. They cannot be indexed. They cannot be d. Functions such as search and find return no results because the system does not recognize e record appears present while remaining unreadable. Oversight authority exists. Oversight y does not. Audit functions terminate at intake because no machine readable content is available ew

**y Effect 2: Emergency Keyword Detection Failure**

ncy management systems rely on keyword detection and text indexing to identify emergency ns. These systems monitor incoming filings for specific terms associated with urgency and on. Image based filings cannot be scanned for keywords. Text contained within images is not o detection systems. Emergency indicators remain undetected. Escalation logic is not engaged. se pathways remain inactive. The emergency does not register as an event within the system no readable signal is present.

**y Effect 3: Temporal Observability Failure**

ted oversight and emergency systems rely on time ordered records to evaluate compliance and e. Text based documents preserve creation time, modification time, and publication time in a that allows sequence to be reconstructed. Image based routing collapses these distinctions. aphing and compressing records removes reliable temporal markers. Batch processing replaces al publication events. Sequence becomes unobservable. Timing cannot be verified. Oversight cannot determine when a record became available in readable form. Delay cannot be measured observability across time does not exist. When oversight agencies receive records in this n, no readable emergency event is visible to the system. The absence of response by the Texas nent of Emergency Management, the Office of Court Administration, and the Texas Attorney reflects absence of observable data rather than absence of filing. The emergency cannot be oon because it cannot be seen.

**ary Effect: Single Point Failure**

ncy management systems do not vest authority in a single officer to determine urgency across em. Urgency is intended to be generated by architecture rather. In Cass County, standard e-filing no emergency state and no priority state. Filings submitted through that channel are routed into ty record processing system and converted into image files. Text content is flattened. *bility* is removed. Machine readability is lost. A filing capable of review at submission becomes ally inert after filing and routing in Cass county. In this environment, urgency exists only manual intervention. The Court Coordinator becomes the sole functional intake point capable rring attention by personal action. The statement that a filer may contact the coordinator for ate attention places urgency determination outside any formal emergency system. The ator functions as a single point through which emergency posture must pass. Availability outcome. Absence results in loss of urgency. No redundancy exists. No automatic escalation Emergency management initiation occurs at the county level. Direction to initiate emergency t the district level begins the process downstream of the proper intake point. Emergency posture ced by procedural posture. Standard judicial pathways activate. Procedural dismissal becomes e. The system operates as designed. Emergency status is never created.

## y Effect: Jurisdictional Non Attachment Resulting from Physical Misalignment of County ity

ures described in the primary and secondary effects culminate in a tertiary jurisdictional failure from physical misalignment of county authority. County officers operating outside the ionally designated courthouse location cannot generate emergency or judicial authority in a ble form. The absence of alignment prevents formation of judicial acts capable of appellate

ch 11 2025 the Commissioners Court designated the historic courthouse at 100 East Houston Linden Texas as the official location for county operations. The record reflects non execution of er. County officers continued operating from temporary or unsecured facilities. Emergency ment authority did not initiate from the county seat. No judicial or quasi judicial act emerged roper institutional posture.

overnment Code Section 418.1015 assigns emergency management authority to the county ctivation requires action taken within the designated institutional role. Operation outside the ted courthouse location prevents emergency initiation from producing a reviewable record. y remains abstract and does not attach.

a reviewable judicial act filings enter the judicial system without emergency posture. The district cord contains no ruling no refusal and no certification of facts. Appellate review proceeds without or. Jurisdiction does not attach to the merits of the emergency condition.

hose conditions the Sixth Court of Appeals resolved the matter through jurisdictional analysis exas Government Code Section 22.221. The court acknowledged the requested relief and stated ws

> tion Stephens asks this Court to order Respondents to take immediate and affirmative steps to rmed security at the Cass County Courthouse in full compliance with Texas Government Code 29.006 and Senate Bill 42. We deny Stephens requested relief.”
>
> Scott E. Stevens
>
> Chief Justice
>
> 06-25-00072-CV (August 14, 2025)

No. 25-40804

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# In The United States Court Of Appeals

# For The Fifth Circuit

**In RE: CLIFF STEPHENS, Petitioner**

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## MOTION TO WITHDRAW PETITION FOR WRIT OF MANDAMUS

Petitioner respectfully moves to voluntarily dismiss the Petition for Writ of Mandamus filed in Case No. 25-40804.

Petitioner no longer seeks relief through this extraordinary writ and requests dismissal of the proceeding

Respectfully submitted,
/s/ Cliff Stephens
February 22 , 2026

pg 1 Table of Contents Table of Authorities
pg 2 Jurisdiction Statement of Facts
pg 3 Issue Presented Standard for Mandamus
pg 4 Argument Relief Requested
pg 5 Conclusion
pg 6 Proposed Order

---

Statutes
28 U S C 1292(a)(1)
28 U S C 1651(a)

Rules
Fed R App P 3(d)(1)
Fed R App P 11(a)

## SDICTION

urt carries jurisdiction under 28 U S C 1651(a) to issue a writ in aid of its appellate
ty. A district clerk carries a ministerial duty under FRAP 3(d)(1) and FRAP 11(a) to
t the notice of appeal and the record. A withheld transmittal blocks docketing under 28
292(a)(1) and places the exercise of appellate jurisdiction in jeopardy. The appeal
s administrative questions which arise from *extraordinary circumstances* connected to
s of the record inside the county seat. The circumstances require appellate supervision
not reach review until the act of transmittal occurs. A writ becomes required once a
rial duty is withheld in a manner which removes the ordinary pathway for appellate
tion and leaves no remedy inside the district court.

## TEMENT OF FACTS

r sought administrative clarification in Case Number 2:25 cv 01094 regarding the
location of the District Clerk office and the situs of the federal record. The request
ed foundational matters of record custody and filing procedure required for compliance
eral rules. The statutory courthouse stands at 100 East Houston Street. County operations
at the Cass County Law Enforcement and Justice Center at 604 Highway Eight North.
rgence between the statutory site and the operational site created uncertainty regarding
rvice, record maintenance, and security obligations under S B Forty Two. The
rative landscape required clarity due to the reliance of the appeal pathway on accurate
ation of the record situs and its chain of custody.

r filed a Notice of Appeal on November Twenty 2025. A district clerk carries a
al duty to transmit the notice under FRAP Three(d)(1) and to transmit the record under
leven(a). The clerk withheld transmittal. The withheld transmittal blocks docketing
U S C 1292(a)(1) and restricts the exercise of appellate jurisdiction. Administrative
esented in the district court remain outside review until the notice and record reach the
writ becomes required to compel the ministerial act and restore the pathway for
jurisdiction.

## UE PRESENTED

ct clerk carries a ministerial duty under FRAP 3(d)(1) and FRAP 11(a) to transmit a
of appeal and the record. Absence of transmission blocks docketing under 28 U S C §
)(1) and restricts appellate jurisdiction. The appeal contains administrative questions
from extraordinary circumstances connected to the situs of the record inside the county
he issue concerns the authority of the Court to compel the ministerial act required to
e appellate jurisdiction.

## ANDARD FOR MANDAMUS

of mandamus arises from authority granted through 28 U S C § 1651(a), which
ers Courts of Appeals to issue writs in aid of jurisdiction. The remedy carries
onal character and exists to secure appellate authority created by Congress and to
e the orderly movement of an appeal in circumstances where *administrative conditions*
its path. A petitioner must show a clear duty, a clear right to performance, and an
e of any internal pathway capable of advancing the matter toward review.

ndard applies to duties assigned to the District Clerk under FRAP 3(d)(1) and FRAP
These duties require transmission of the notice of appeal and the record. The duties carry
rial character and proceed without discretion. Their execution controls placement of an
inside the circuit docket and establishes the point at which appellate jurisdiction
es active under 28 U S C § 1292(a)(1). Absence of transmission halts movement of the
and produces a suspension of jurisdiction until corrective action occurs.

stances of administrative uncertainty inside a district system shape the urgency of the
d. A divided county seat concerning the situs of the record, daily custody of filings, and
n of judicial operations creates an environment where clarity and accuracy carry
ned significance. A withheld transmittal inside such a landscape creates a structural
which no mechanism inside the district court can resolve. The Court carries
ibility to protect its jurisdiction and retains authority to issue a writ which directs
nance of the ministerial act required for restoration of the appeal pathway. Mandamus
es the instrument through which appellate review can proceed.

## GUMENT

ministerial duty arises under FRAP 3(d)(1) and FRAP 11(a). Federal rule directs the
Clerk to transmit the notice of appeal and the record. The duty carries full force and
s no element of discretion. Absence of transmission halts movement of the appeal and
ds activation of appellate jurisdiction under 28 U S C § 1292(a)(1). A suspension of that
aches the core structure of appellate oversight and calls for corrective authority from the

ord contains administrative questions shaped by extraordinary circumstances inside a
county seat. Judicial activity proceeds at a location distinct from the statutory
use. The arrangement produces uncertainty concerning custody of filings and the situs
ederal record. A withheld transmittal inside such a landscape creates a structural freeze
o internal mechanism inside the district system can cure. Relator carries a clear right to
nance of the ministerial act that permits advance into the appellate framework.

ndamus standard is satisfied in full. The petition displays a clear duty, a clear right to
nance, and an absence of any internal pathway capable of restoring movement toward
Authority under 28 U S C § 1651(a) grants the power to compel execution of the
rial act and to preserve the appellate structure created by Congress. A writ which directs
ssion of the notice of appeal and the record restores the appeal pathway and secures the
tion of the Court. Mandamus provides the instrument through which review proceeds.

## LIEF REQUESTED

seeks a writ of mandamus under Twenty Eight U S C § 1651(a). The writ carries
ty to direct the District Clerk to transmit the notice of appeal filed on November Twenty
housand Twenty Five and to transmit the record in Case Number Two Twenty Five cv
ne Zero Nine Four as required under FRAP Three(d)(1) and FRAP Eleven(a).
etion of the ministerial act permits placement of the appeal inside the circuit docket
Twenty Eight U S C § 1292(a)(1) and restores the pathway for appellate jurisdiction.
seeks all relief consistent with the supervisory authority of the Court for preservation of
ellate structure created by Congress.

## ONCLUSION

presents a ministerial duty under FRAP Three(d)(1) and FRAP Eleven(a). Federal rule transmission of the notice of appeal and the record, and the duties proceed without on. Relator carries a right to performance, and the pathway into the appellate framework s suspended until completion of the ministerial act. Absence of transmission halts ent of the appeal and suspends activation of appellate jurisdiction under Twenty Eight U 292(a)(1). A suspension of that kind reaches a structural level and engages the sory authority of the Court.

strative conditions inside a divided county seat create an environment where clarity, y, and custody of filings carry heightened significance. Judicial activity proceeds at a tinct from the statutory courthouse, and the record exists inside a landscape shaped by ural uncertainty. A withheld transmittal inside such conditions creates a structural freeze no mechanism inside the district system can cure. Only the ministerial act required under rule carries authority to restore movement of the appeal toward the circuit docket.

ty under Twenty Eight U S C § 1651(a) empowers the Court to act in aid of jurisdiction. ss granted that authority for circumstances where procedural structure requires ntion by an appellate tribunal. Completion of the ministerial act permits placement of eal inside the circuit docket and restores the pathway required for review of federal ns. Relator seeks all relief consistent with the supervisory authority of the Court for ation of the appellate structure created by Congress.

tfully submitted,

Stephens

ephens
, pro se
unty Road 1456
, Tx 75563
5-0685
nexso.life

No. ____________

# In The United States Court Of Appeals
# For The Fifth Circuit

Petition for Writ of Mandamus

The Court has considered the petition for a writ of mandamus. The petition presents a ministerial duty under FRAP 3(d)(1) and FRAP 11(a) to transmit the notice of appeal filed on November 20, 2025, and to transmit the record in Case Number 2:25-cv-01094. The petition presents a right to performance and an absence of any internal pathway capable of restoring movement toward appellate review. Authority under 28 U.S.C. § 1651(a) permits issuance of a writ in aid of jurisdiction.

IT IS ORDERED that the District Clerk of the United States District Court for the Eastern District of Texas shall transmit the notice of appeal and the record in Case Number 2:25-cv-01094 to the Clerk of the United States Court of Appeals for the Fifth Circuit under FRAP 3(d)(1) and FRAP 11(a).

IT IS FURTHER ORDERED that the Clerk of the United States Court of Appeals for the Fifth Circuit shall take all steps required for placement of the appeal inside the circuit docket under 28 U.S.C. § 1292(a)(1).

For the Court ____________________

***United States Court of Appeals***
**FIFTH CIRCUIT**
**OFFICE OF THE CLERK**

**LYLE W. CAYCE**
**CLERK**

**TEL. 504-310-7700**
**600 S. MAESTRI PLACE,**
**Suite 115**
**NEW ORLEANS, LA 70130**

December 10, 2025

Mr. Cliff Stephens
981 County Road 1456
Linden, TX 75563

No. 25-40804 In re: Cliff Stephens
USDC No. 2:25-CV-1094

Dear Mr. Stephens,

We have docketed the petition for writ of mandamus, and ask you to use the case number above in future inquiries.

Filings in this court are governed strictly by the Federal Rules of **Appellate** Procedure. We cannot accept motions submitted under the Federal Rules of **Civil** Procedure. We can address only those documents the court directs you to file, or proper motions filed in support of the appeal. See Fed. R. App. P. and 5th Cir. R. 27 for guidance. We will not acknowledge or act upon documents not authorized by these rules.

Your petition is deficient for the reason(s) listed below. **You must comply within 30 days of the date of this letter. If you fail to comply we will dismiss your petition for writ of mandamus without further notice.**

- **A copy of any order or opinion, or parts of the record essential to understand the matters set forth in the petition is required pursuant to Fed. R. App. P. 21(a)(C) and 5th Cir. R. 21. If these documents cannot be Provided, then file a letter stating the reason and Reference the document on the Originating Court's docket Sheet.**

- **You have not paid the $600.00 docketing fee, or filed a Motion and affidavit for leave to proceed in forma Pauperis Under 28 U.S.C. § 1915(a). A form is enclosed.**

Once the sufficient petition is prepared, or a separate Exhibits in Support of the petition containing the above-referenced required content is prepared, it must be emailed to: pro_se@ca5.uscourts.gov for review.

Sincerely,

LYLE W. CAYCE, Clerk

Roeshawn Johnson

By: ______________________________
Roeshawn Johnson, Deputy Clerk
504-310-7998

cc: Mr. David O’Toole

Provided below is the court's official caption. Please review the parties listed and advise the court immediately of any discrepancies. If you are required to file an appearance form, a complete list of the parties should be listed on the form exactly as they are listed on the caption.

---

Case No. 25-40804

---

In re: Cliff Stephens,

Petitioner

# UNITED STATES DISTRICT COURT
for the
_________________ DISTRICT OF _________________

| | | |
|---|---|---|
| ______________________________, | ) | |
| | ) | |
| Plaintiff(s) | ) | |
| | ) | |
| v. | ) | |
| | ) | Case No. 25-40804 |
| | ) | |
| ______________________________, | ) | |
| | ) | |
| Defendant(s) | ) | |

## AFFIDAVIT ACCOMPANYING MOTION FOR PERMISSION TO APPEAL IN FORMA PAUPERIS

| Affidavit in Support of Motion | Instructions |
|---|---|
| I swear or affirm under penalty of perjury that, because of my poverty, I cannot prepay the docket fees of my appeal or post a bond for them. I believe I am entitled to redress. I swear or affirm under penalty of perjury under United States laws that my answers on this form are true and correct. (28 U.S.C. § 1746; 18 U.S.C. § 1621.) | Complete all questions in this application and then sign it. Do not leave any blanks: if the answer to a question is "0," "none," or "not applicable (N/A)," write in that response. If you need more space to answer a question or to explain your answer, attach a separate sheet of paper identified with your name, your case's docket number, and the question number. |
| Signed: ____________________________ | Date: ____________________________ |

My issues on appeal are: _______________________________________________________

_______________________________________________________________________________

_______________________________________________________________________________

_______________________________________________________________________________

_______________________________________________________________________________

1. For both you and your spouse estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.

| Income source | Average monthly amount during the past 12 months | | Amount expected next month | |
|---|---|---|---|---|
| | You | Spouse | You | Spouse |
| Employment | $ | $ | $ | $ |
| Self-employment | $ | $ | $ | $ |
| Income from real property (such as rental income) | $ | $ | $ | $ |
| Interest and dividends | $ | $ | $ | $ |
| Gifts | $ | $ | $ | $ |
| Alimony | $ | $ | $ | $ |
| Child support | $ | $ | $ | $ |
| Retirement (such as social security, pensions, annuities, insurance) | $ | $ | $ | $ |
| Disability (such as social security, insurance payments) | $ | $ | $ | $ |
| Unemployment payments | $ | $ | $ | $ |
| Public-assistance (such as welfare) | $ | $ | $ | $ |
| Other (specify): | $ | $ | $ | $ |
| Total monthly income: | $ | $ | $ | $ |

2. List your employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

| Employer | Address | Dates of employment | Gross monthly pay |
|---|---|---|---|
| | | | $ |
| | | | $ |
| | | | $ |

3. List your spouse's employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

| Employer | Address | Dates of employment | Gross monthly pay |
|---|---|---|---|
| | | | $ |
| | | | $ |
| | | | $ |

4. How much cash do you and your spouse have? $________

Below, state any money you or your spouse have in bank accounts or in any other financial institution.

| Financial Institution | Type of Account | Amount you have | Amount your spouse has |
|---|---|---|---|
| | | $ | $ |
| | | $ | $ |
| | | $ | $ |

If you are a prisoner seeking to appeal a judgment in a civil action or proceeding, you must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings.

| | | |
|---|---|---|
| Home | Other real estate | Motor vehicle #1 |
| (Value) $ | (Value) $ | (Value) $ |
| | | Make and year: |
| | | Model: |
| | | Registration #: |

| | | |
|---|---|---|
| Motor vehicle #2 | Other assets | Other assets |
| (Value) $ | (Value) $ | (Value) $ |
| Make and year: | | |
| Model: | | |
| Registration #: | | |

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

| Person owing you or your spouse money | Amount owed to you | Amount owed to your spouse |
|---|---|---|
| | $ | $ |
| | $ | $ |
| | $ | $ |
| | $ | $ |

7. State the persons who rely on you or your spouse for support.

| Name [or, if under 18, initials only] | Relationship | Age |
|---|---|---|
| | | |
| | | |
| | | |

8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any payments that are made weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate.

| | You | Your Spouse |
|---|---|---|
| Rent or home-mortgage payment (include lot rented for mobile home)<br>Are real estate taxes included? [ ] Yes [ ] No<br>Is property insurance included? [ ] Yes [ ] No | $ | $ |
| Utilities (electricity, heating fuel, water, sewer, and telephone) | $ | $ |

| | | |
|---|---|---|
| Home maintenance (repairs and upkeep) | $ | $ |
| Food | $ | $ |
| Clothing | $ | $ |
| Laundry and dry-cleaning | $ | $ |
| Medical and dental expenses | $ | $ |
| Transportation (not including motor vehicle payments) | $ | $ |
| Recreation, entertainment, newspapers, magazines, etc. | $ | $ |
| Insurance (not deducted from wages or included in mortgage payments) | | |
| Homeowner's or renter's: | $ | $ |
| Life: | $ | $ |
| Health: | $ | $ |
| Motor vehicle: | $ | $ |
| Other: | $ | $ |
| Taxes (not deducted from wages or included in mortgage payments) (specify): | $ | $ |
| Installment payments | | |
| Motor Vehicle: | $ | $ |
| Credit card (name): | $ | $ |
| Department store (name): | $ | $ |
| Other: | $ | $ |
| Alimony, maintenance, and support paid to others | $ | $ |
| Regular expenses for operation of business, profession, or farm (attach detailed statement) | $ | $ |
| Other (specify): | $ | $ |
| Total monthly expenses: | $ | $ |

9. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months?

[ ] Yes [ ] No If yes, describe on an attached sheet.

10. Have you spent — or will you be spending — any money for expenses or attorney fees in connection with this lawsuit? [ ] Yes [ ] No

If yes, how much? $ ____________

11. Provide any other information that will help explain why you cannot pay the docket fees for your appeal.

12. State the city and state of your legal residence.

Your daytime phone number: (____) _______________

Your age: ________ Your years of schooling: ________

Last four digits of your social-security number:_______

CAUSE NO. D-1-GN-25-002397

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

Cliff Stephens

PETITIONER

v

TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

CASS COUNTY

RESPONDENTS

353rd JUDICIAL DISTRICT

# SUBMISSION FOR JUDICIAL AWARENESS

# NOTICE OF VENUE FAILURE

E HONORABLE JUDGE OF SAID COURT:

omission is provided solely for judicial awareness regarding subsequent federal proceedings that om the same underlying factual record previously presented to this Court in the above-ed cause.

ched filings (primarily In re Stephens, No. 25-40804 (5th Cir.), together with related docket nd exhibits from ED Tex. Nos. 2:25-cv-01087 and 2:25-cv-01094, and 5th Cir. Nos. 25-40762, 2, and related proceedings) document that the federal district court generated only procedural nd did not issue any substantive order addressing the emergency record, venue conditions, use operational status, communication history with the Texas Department of Emergency ment (TDEM), or the structural issues raised.

eral submission further explains that the underlying record presented to the federal courts ed directly from Cause No. D-1-GN-25-002397 in the 353rd Judicial District Court and s the following operational and emergency-management matters:

rthouse operational continuity
ue structure and governmental functions
ergency communication routing
ence of courthouse security
ation of county governmental functions
ergency mitigation communications transmitted through TDEM

ched affidavit and accompanying exhibits were assembled to explain to the Fifth Circuit why no ive district-court order existed for appellate review under FRAP 21(a)(2)(C). These materials ed in the federal proceedings solely to preserve and transmit the emergency record for higher

ntly, Petitioner has now voluntarily withdrawn or dismissed the federal proceedings (see, e.g., y dismissal notices filed February 22–23, 2026 in 5th Cir. Nos. 25-40804, 25-40762, and 26-nd corresponding notices of voluntary dismissal without prejudice in the district-court actions). ismissals were entered without prejudice and without any adjudication on the merits. The filings therefore do not re-litigate any matters already before this Court; they simply document edural path the same emergency record took after leaving state court.

omission is made to ensure the 353rd Judicial District Court maintains a complete situational-ss record of the parallel federal activity that arose from the identical factual predicate. No action or response is requested at this time.

fully submitted,

Stephens

ephens, Pro Se

No. 25-40804

---

# In The United States Court Of Appeals

# For The Fifth Circuit

**In RE: CLIFF STEPHENS, Petitioner**

Submission to Cure Deficiency

Under FRAP 21(a)(2)(C)

Respectfully submitted,

/s/ Cliff Stephens

Address on file

Email on file

Phone on file

Date: December 11, 2025

## RODUCTION

ner submits this statement to cure the deficiency under Federal Rule of Appellate
ure 21(a)(2)(C). The district court did not issue a substantive order capable of providing
urt with the record material requested by the Clerk. The proceeding below produced only
ef procedural entries. Neither entry reflects an evaluation of the emergency conditions
ed, and neither entry resolves the issues raised in the petition. The essential ruling
ed in Rule 21 does not exist. This filing explains the absence of an adjudicative order
plies the available record.

## RUCTURAL IMPOSSIBILITY OF SERVICE

ord establishes that service under ordinary civil procedures cannot function in this
The Cass County Judge does not maintain a fixed public office within the county seat.
urthouse remains the statutory seat of government, yet the Judge operates from a
e facility without lawful designation. No physical office has been identified by the State
County as the location where process may be delivered. This condition has been
vledged by State officials through the emergency chain of communication.

xas Department of Emergency Management issued notice to the County Judge under the
ncy management framework. The Judge did not respond. More than two hundred days
without acknowledgment or action. This period forms part of the State emergency
The emergency chain is the only chain that has reached the County Judge, and no
y evidence has been presented by any authority.

trict court entered its procedural orders without this record. The impossibility of service
tter of fact established by the State emergency record. Any federal order dependent upon
service procedures cannot reach the Respondent under these conditions.

## TRAORDINARY CIRCUMSTANCES REQUIRING FEDERAL REVIEW

nergency conditions arise from the State emergency record. One concerns the risk of
ral collapse and the need for immediate mitigation. One concerns the condition of the
use, the location of the county seat, the absence of security, and the open exposure of
public records dating back to the nineteenth century. Each condition carries obligations
e and local officials rooted in statute and emergency protocol. Each condition advances
wn timeline and produces consequences independent of the other.

trict court acted without this record. No federal order reflects review of the State
ncy communication, the engineering findings, the acknowledgment by the State
ncy authority, or the absence of any challenge by local officials. The conditions remain
The courthouse continues to operate without armed security, and the county seat
es to function without the presence of the County Judge. Historic records remain open
ublic without supervision.

## TICE AND THE STATE EMERGENCY RECORD

xas Department of Emergency Management delivered formal notice to the County Judge the emergency chain of communication. The County Judge gave no reply across a span ng two hundred days. This interval forms part of the State emergency record. No local y issued any challenge to the emergency designation, the engineering findings, the State nication, the condition of the courthouse, the status of the county seat, the absence of , the exposure of historic records, or the urgency identified in State correspondence.

trict court entered procedural text without reference to this record. The State emergency contains confirmation of active notice, continuing risk, and statutory responsibilities for s charged with emergency action. The district court generated entries without integration e elements. As a result, the entries convey no recognition of ongoing emergency ons.

### rgency Framework and Mischaracterization of Response

gistrate states that no special circumstances support a militant response. This conclusion racterizes the governing emergency framework. The system is engineered for speed, y, and escalation once emergency conditions arise. Expedience is a statutory ment. Accuracy is a structural mandate. Every action moves toward the fastest lawful mitigation. Nothing in this process signals aggression. The appearance of intensity s from design rather than posture.

te emergency record shows a complete exhaustion of the Texas emergency management ce. Communication reached the County Judge through the State chain. Action never d. The State record confirms an unresolved emergency, an inactive executive authority, talled response at the county level. Under this condition, federal assistance becomes the able enforcement channel.

ited States Marshals Service stands as the sole mechanism capable of effecting service. unty Judge maintains no office at the statutory county seat. No physical location exists very of process. A post office box serves as the only published address. Any service through routine procedures ends without contact. A federal officer must locate the Judge through direct search.

trict court entries contain no reference to the State emergency record, the exhaustion of e chain, the absence of an office for service, the requirements of emergency protocol, or sequences that arise when local authority remains silent during an active emergency. ord from the district court contains no acknowledgment of the system that governs this This filing supplies that operational structure.

## VO EMERGENCY CONDITIONS ARISING FROM A SINGLE STATE RECORD

te emergency record supports two distinct emergency conditions. One concerns an nt structural hazard requiring physical mitigation. One concerns institutional failure ng courthouse operation, venue integrity, absence of security, and exposure of historic records. Each condition carries separate legal duties and proceeds along a different e. Each draws authority from the same State record.

trict court entries address neither condition. No entry evaluates the structural risk. No ddresses courthouse security, venue status, executive presence, or record protection. The mergency record governs both conditions, and action directed at one condition rily affects the other through their shared factual base. The district court acted without ord in view.

erlap bears directly on the petition. The absence of the State emergency record from the court analysis resulted in procedural entries that fail to account for the full scope of the ncy.

## BSENCE OF AN ESSENTIAL ORDER UNDER RULE 21

al Rule of Appellate Procedure 21(a)(2)(C) contemplates production of an order or essential to understanding the matter presented. In this proceeding, no such order The district court issued procedural entries that neither resolve the emergency conditions ress the governing State emergency record. No entry evaluates feasibility of service, no pplies the standards for emergent relief, and no entry adjudicates the merits of the issues

ocket in 2:25-cv-01094 contains no ruling capable of appellate review. The available address routine process while leaving the operative facts untouched. As a result, the ent requested by the Clerk cannot be supplied because the district court did not generate antive order that performs the function required under Rule 21. This filing provides the ation required in the absence of such an order.

## XHIBITS PROVIDED

hibits submitted with this cure reflect the full extent of the available district court record. d are the procedural entries entered in 2:25-cv-01094, consisting of the order requesting f service and the order declining assistance through the United States Marshals Service. ntries represent the only written actions taken by the district court concerning the raised in the petition.

cluded is the affidavit addressing venue conditions, courthouse status, absence of a office at the county seat, and the structure of service under emergency conditions. The mergency record referenced in this filing provides context for the procedural posture and s the factual assertions described. No additional order or opinion exists for inclusion.

## RE DECLARATION

bmission satisfies the Clerk's request under Federal Rule of Appellate Procedure 21(a) The attached materials reflect the district court record as it exists. The procedural entries d represent the full set of written actions taken concerning the matters raised in the . The affidavit and referenced State emergency record supply the operational context ng service, venue, courthouse conditions, and emergency protocol. This filing explains ence of a substantive district court ruling and completes the cure.

tfully submitted,

ner appears pro se in this matter.

ing reflects the record as presented and the emergency conditions addressed herein.

ner

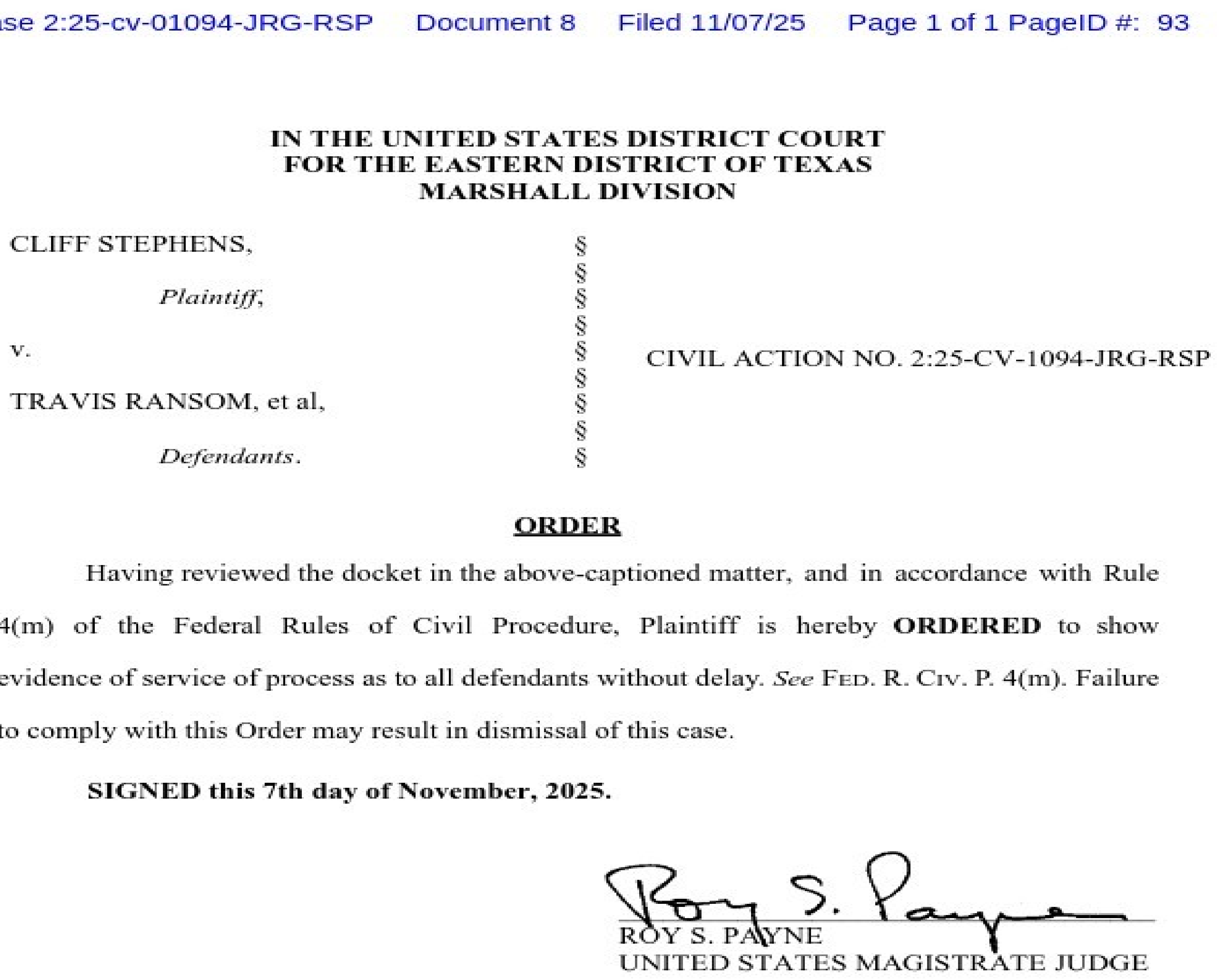
s on file

n file

one on file

December 11th 2025

BIT A District Court Order dated [11/07/2025]



### IN THE UNITED STATES DISTRICT COURT
### FOR THE EASTERN DISTRICT OF TEXAS
### MARSHALL DIVISION

CLIFF STEPHENS, §
§
*Plaintiff*, §
§
v. § CIVIL ACTION NO. 2:25-CV-1094-JRG-RSP
§
TRAVIS RANSOM, et al, §
§
*Defendants*. §

## ORDER

Having reviewed the docket in the above-captioned matter, and in accordance with Rule 4(m) of the Federal Rules of Civil Procedure, Plaintiff is hereby **ORDERED** to show evidence of service of process as to all defendants without delay. *See* Fed. R. Civ. P. 4(m). Failure to comply with this Order may result in dismissal of this case.

**SIGNED this 7th day of November, 2025.**

Roy S. Payne

ROY S. PAYNE
UNITED STATES MAGISTRATE JUDGE

BIT B District Court Order dated [11/10/2025]

### IN THE UNITED STATES DISTRICT COURT
### FOR THE EASTERN DISTRICT OF TEXAS
### MARSHALL DIVISION

CLIFF STEPHENS,

*Plaintiff,*

v.

TRAVIS RANSOM, et al,

*Defendants.*

§ CIVIL ACTION NO. 2:25-CV-01094-JRG-RSP

## ORDER

Before the Cout is Plaintiff's Motion for Service of Process by the U.S. Marshals Service. **Dkt. No. 7**. In the Motion, Plaintiff seeks to effectuate service of process on Defendants through the United States Marshals Service pursuant to Rule 4(c)(3). *Id.* at ECF page 2.

Rule 4(c)(3) states that "[a]t the plaintiff's request, the court *may* order that service be made by a United States marshal or deputy marshal or by a person specially appointed by the court." FED. R. CIV. P. 4(c)(3) (emphasis added).

Here, Plaintiff is proceeding *pro se* and, having paid the necessary filing fee (*See* ECF entry of 11/05/2025), is responsible for effecting service of process on Defendants. *See* Fed. R. Civ. P. 4(c)(1) ("The plaintiff is responsible for having the summons and complaint served …"). There are no special circumstances here militating a different approach. Accordingly, the Motion is **DENIED** and Plaintiff is directed to proceed with service of process through a process server without delay. Rule 4(m).

**SIGNED this 9th day of November, 2025.**

Roy S. Payne

ROY S. PAYNE
UNITED STATES MAGISTRATE JUDGE

No.________

---

# In The United States Court Of Appeals

# For The Fifth Circuit

**In RE: CLIFF STEPHENS, Petitioner**

---

Affidavit in Support of Petition for Write of Mandamus

lly submitted,

hens
ty Road 1456
x 75563
xso.life
0685
r, 7th 2025

**(Image – Cass County Courthouse, Illustration)**

# RECORD OF VENUE FAILURE IN CASS COUNTY

2008–2025

---

## GAL KERNEL

Texas Constitution establishes the exclusive method for relocating a county seat:

county seat shall be removed except by a vote of the electors of the county."

. Const. art. IX, § 1.

Texas Supreme Court confirms that this constitutional method is the only lawful method:

county seat cannot be removed except in the manner provided by the Constitution."

ng v. State, 81 S.W.2d 908, 909 (Tex. 1935).

Court further holds that lawful relocation requires both a valid election and the official umentation necessary to verify compliance with constitutional requirements.

Executive Branch enforces the same structural rule. Governmental actions taken without stitutional or statutory authority are ultra vires and legally void:

vernmental acts performed without statutory authorization are ultra vires and unenforceable."

. Att'y Gen. Op. JM-968 (1988).

---

**STEPHENS v. CASS COUNTY**

Cause No. D-1-GN-25-002397

In the 353rd Judicial District Court

Travis County, Texas

**Related Federal Proceedings:**

CASE NO. 2:25-CV-01087-JRG-RSP

(E.D. Tex.)

Civil Action No. 2:25-cv-01094

(E.D. Tex.)

## POSE OF THIS DOCUMENT

locument assembles a chronological record reflecting how Cass County’s operational practices
oped between 2008 and 2025 regarding the courthouse at 100 East Houston Street and the
County Justice Center. Its purpose is to present a consolidated reference drawn from publicly
ble materials, county minutes, filings, digital postings, and other items appearing in the state
ounty record. This compilation is intended to assist reviewing courts in understanding the
nce of events relevant to the present status of county operations.

## URE OF THE MATERIAL PRESENTED

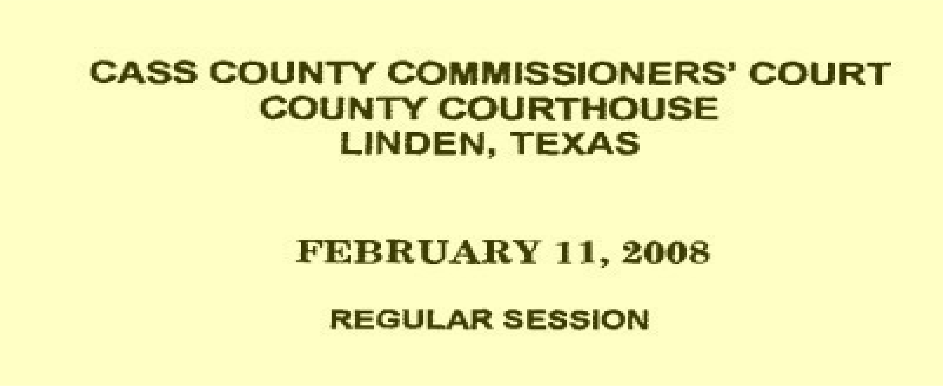
tries in this document are drawn from filed public records, certified minutes, county-issued
cations, or documents appearing in state or federal court filings. No independent investigation
tual assertion outside the record is made. This compilation expresses no conclusion regarding
gality or effect of any county action, and it takes no position on the validity of any decision
by county officials. Its purpose is limited to presenting the historical materials in an organized
t so that the sequence of events may be reviewed without requiring the reader to locate the
lying documents individually.

## TED SCOPE

ecord does not attempt to resolve any legal question, determine rights, interpret statutes, or
responsibility. It is not submitted as evidence of wrongdoing and should not be treated as
acy. It is a descriptive summary derived entirely from the materials already present in the
l. Any quotations are verbatim from their original sources. Where county documents contain
nents of intent or purpose, those statements are reproduced solely to reflect how county
rs described their own actions at the time.

## TEXT FOR THE MATERIALS THAT FOLLOW

entries that follow trace the period beginning with the courthouse renovation in 2008 and
uing through the reopening in 2012 and the operational patterns that developed in subsequent
The documents included reflect the County’s own representations regarding its facilities, the
ons at which officers operated, and the absence of record entries indicating a permanent
tion of county-seat functions. These materials are presented solely to clarify the historical
rop against which current questions concerning location, recordkeeping, and operational situs

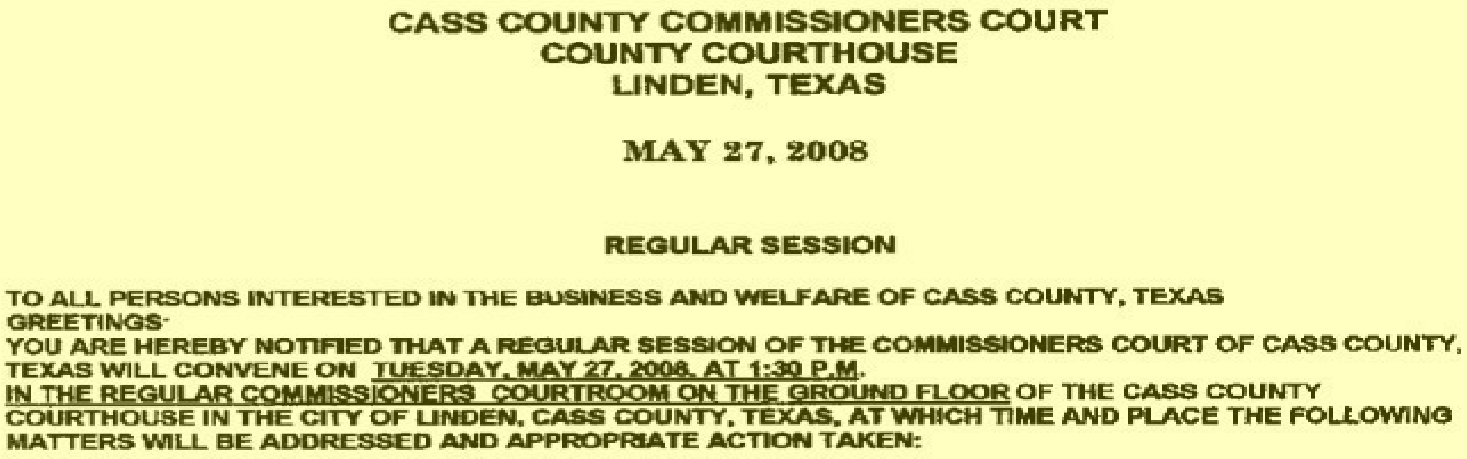


CASS COUNTY COMMISSIONERS' COURT
COUNTY COURTHOUSE
LINDEN, TEXAS

FEBRUARY 11, 2008

REGULAR SESSION

# PART I - The Renovation
# (2008–2012)

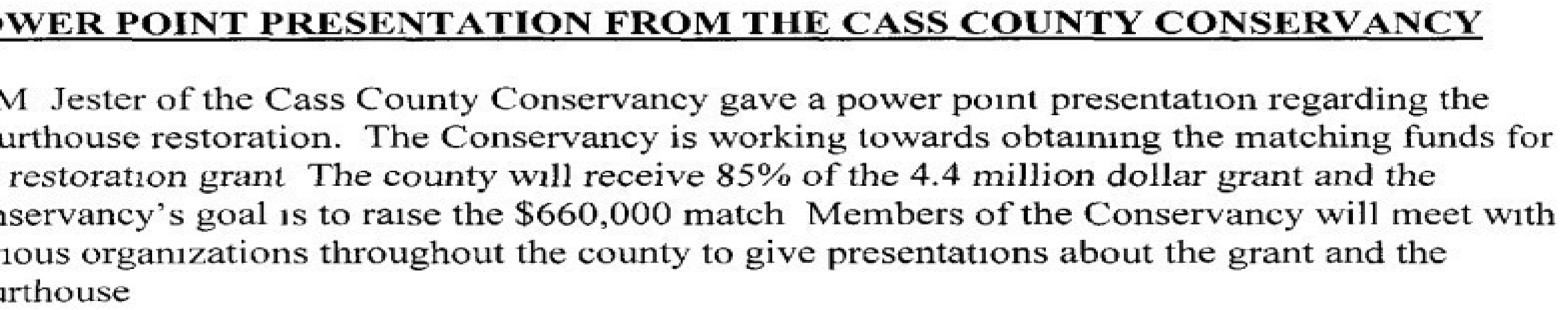


CASS COUNTY COMMISSIONERS COURT
COUNTY COURTHOUSE
LINDEN, TEXAS

MAY 27, 2008

REGULAR SESSION

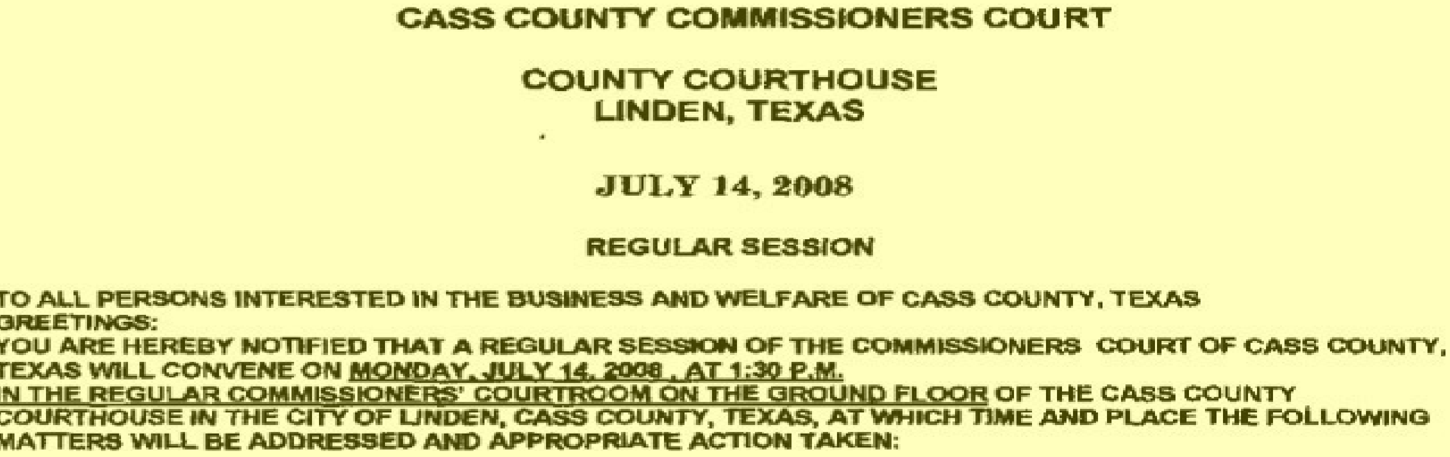
TO ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS
GREETINGS:
YOU ARE HEREBY NOTIFIED THAT A REGULAR SESSION OF THE COMMISSIONERS COURT OF CASS COUNTY, TEXAS WILL CONVENE ON TUESDAY, MAY 27, 2008, AT 1:30 P.M.
IN THE REGULAR COMMISSIONERS COURTROOM ON THE GROUND FLOOR OF THE CASS COUNTY COURTHOUSE IN THE CITY OF LINDEN, CASS COUNTY, TEXAS, AT WHICH TIME AND PLACE THE FOLLOWING MATTERS WILL BE ADDRESSED AND APPROPRIATE ACTION TAKEN:



WER POINT PRESENTATION FROM THE CASS COUNTY CONSERVANCY

M Jester of the Cass County Conservancy gave a power point presentation regarding the
urthouse restoration. The Conservancy is working towards obtaining the matching funds for
restoration grant The county will receive 85% of the 4.4 million dollar grant and the
nservancy's goal is to raise the $660,000 match Members of the Conservancy will meet with
ious organizations throughout the county to give presentations about the grant and the
urthouse

county first placed the restoration in its record during a regular
n in May of two thousand eight. The Conservancy reported a grant
enough to begin real work once the county met its share. From that
he restoration moved from idea to duty.



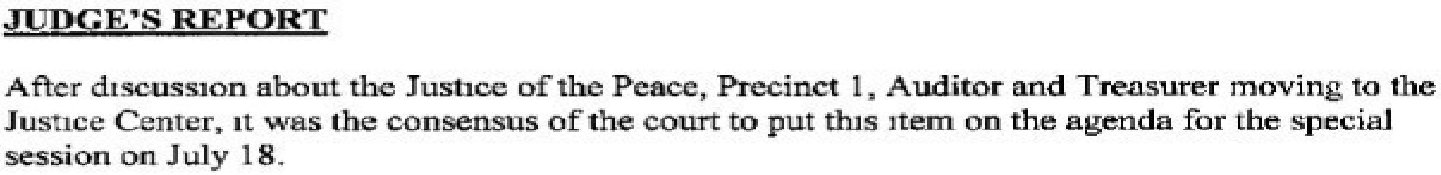
## CASS COUNTY COMMISSIONERS COURT

COUNTY COURTHOUSE
LINDEN, TEXAS

JULY 14, 2008

REGULAR SESSION

TO ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS
GREETINGS:
YOU ARE HEREBY NOTIFIED THAT A REGULAR SESSION OF THE COMMISSIONERS COURT OF CASS COUNTY, TEXAS WILL CONVENE ON MONDAY, JULY 14, 2008 , AT 1:30 P.M.
N THE REGULAR COMMISSIONERS' COURTROOM ON THE GROUND FLOOR OF THE CASS COUNTY COURTHOUSE IN THE CITY OF LINDEN, CASS COUNTY, TEXAS, AT WHICH TIME AND PLACE THE FOLLOWING MATTERS WILL BE ADDRESSED AND APPROPRIATE ACTION TAKEN:



### JUDGE'S REPORT

After discussion about the Justice of the Peace, Precinct 1, Auditor and Treasurer moving to the Justice Center, it was the consensus of the court to put this item on the agenda for the special session on July 18.

First Officers Begin Moving Before Any Restoration Work Begins

# Cass County Commissioners Court
# County Courthouse
# Linden, Texas

## JULY 18, 2008

## Special Session

TO ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS, GREETINGS.
YOU ARE HEREBY NOTIFIED THAT A SPECIAL SESSION OF THE COMMISSIONERS' COURT OF CASS COUNTY, TEXAS WILL CONVENE ON FRIDAY, JULY 18, 2008, AT 10.00 A.M. IN THE COMMISSIONERS COURTROOM, ON THE 1ST FLOOR OF THE CASS COUNTY COURTHOUSE IN THE CITY OF LINDEN, CASS COUNTY, TEXAS, AT WHICH TIME AND PLACE THE FOLLOWING MATTERS WILL BE ADDRESSED AND APPROPRIATE ACTION TAKEN:

### DETERMINE COUNTY DEPARTMENTAL PLACEMENT LOCATIONS FOR VARIOUS COUNTY OFFICES

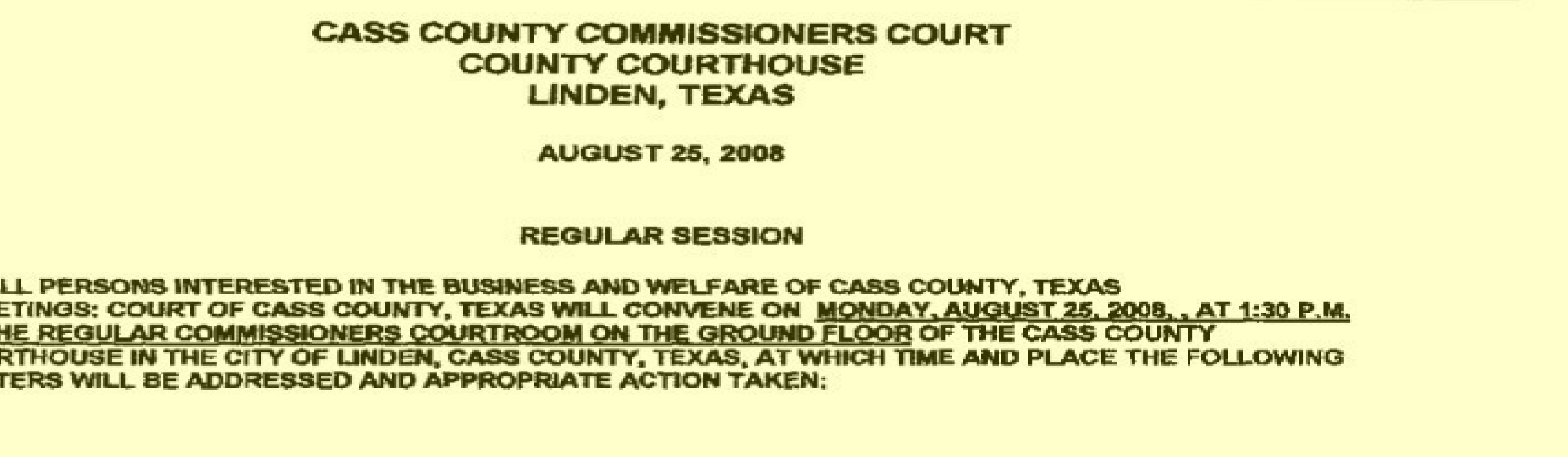
Commissioner Cothren made the motion to accept the drawings provided on June 24 with the scaled down inclusion. Seconded by Commissioner Pate. All voted yes

Commissioner Shaddix made the motion to approve the Juvenile Probation Department moving the Holder building. Seconded by Commissioner Pate. All voted yes.

Commissioner Cothren made the motion to adjourn. Seconded by Commissioner Pate. All voted yes.

Court adjourned at 10 35 p.m.

ourt Directs Multiple Offices to New Locations Before Renovation Begins

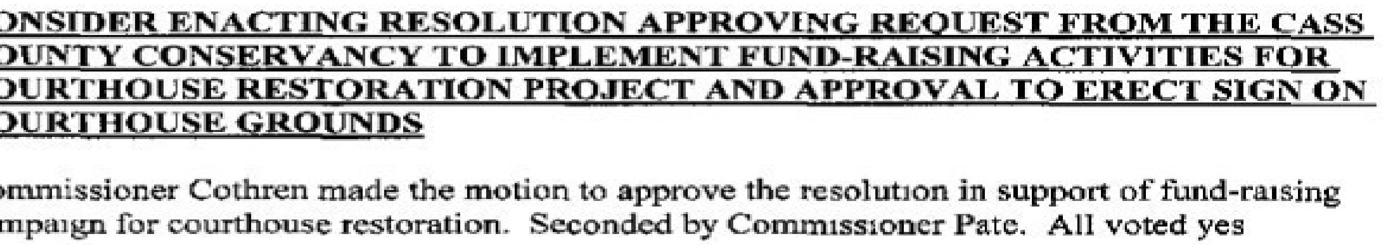


CASS COUNTY COMMISSIONERS COURT
COUNTY COURTHOUSE
LINDEN, TEXAS

AUGUST 25, 2008

REGULAR SESSION

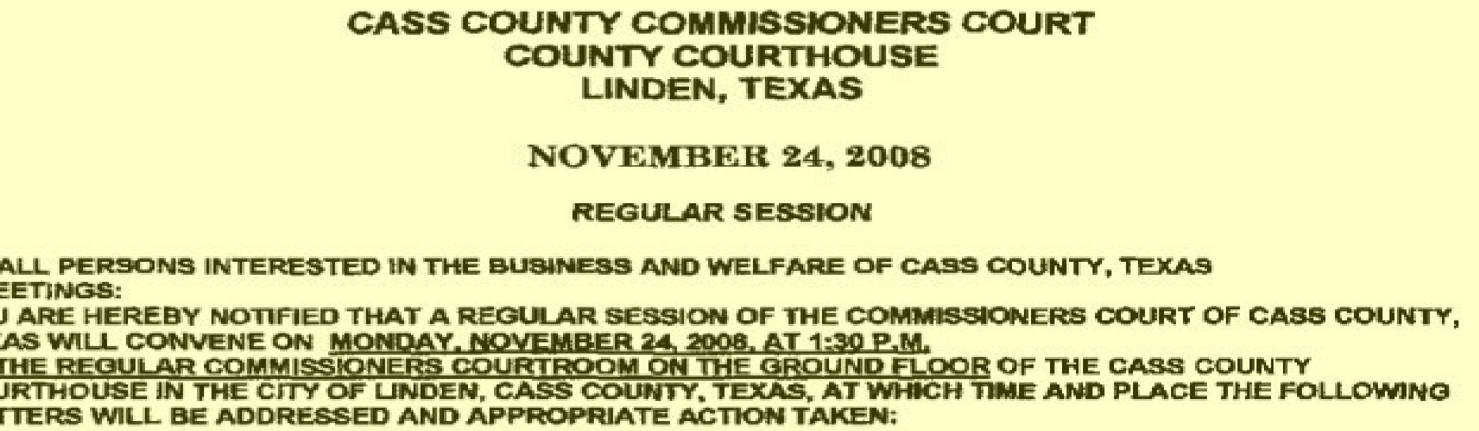
LL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS
ETINGS: COURT OF CASS COUNTY, TEXAS WILL CONVENE ON MONDAY, AUGUST 25, 2008, , AT 1:30 P.M.
HE REGULAR COMMISSIONERS COURTROOM ON THE GROUND FLOOR OF THE CASS COUNTY
RTHOUSE IN THE CITY OF LINDEN, CASS COUNTY, TEXAS, AT WHICH TIME AND PLACE THE FOLLOWING
TERS WILL BE ADDRESSED AND APPROPRIATE ACTION TAKEN:



**ONSIDER ENACTING RESOLUTION APPROVING REQUEST FROM THE CASS
OUNTY CONSERVANCY TO IMPLEMENT FUND-RAISING ACTIVITIES FOR
OURTHOUSE RESTORATION PROJECT AND APPROVAL TO ERECT SIGN ON
OURTHOUSE GROUNDS**

ommissioner Cothren made the motion to approve the resolution in support of fund-raising
mpaign for courthouse restoration. Seconded by Commissioner Pate. All voted yes

Court Endorses Public Fundraising as the Restoration Gains Momentum

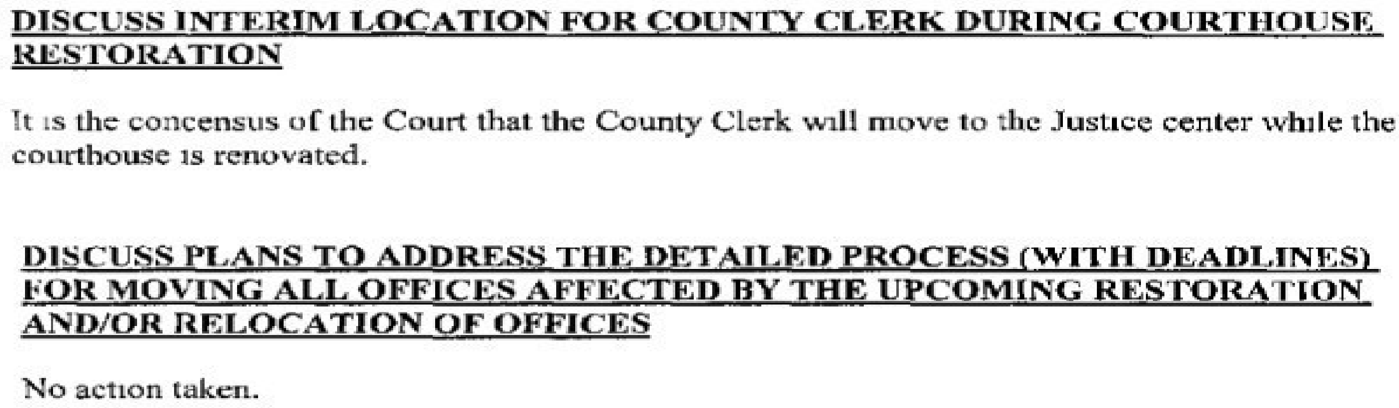


CASS COUNTY COMMISSIONERS COURT
COUNTY COURTHOUSE
LINDEN, TEXAS

NOVEMBER 24, 2008

REGULAR SESSION

ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS
EETINGS:
U ARE HEREBY NOTIFIED THAT A REGULAR SESSION OF THE COMMISSIONERS COURT OF CASS COUNTY,
AS WILL CONVENE ON MONDAY, NOVEMBER 24, 2008, AT 1:30 P.M.
THE REGULAR COMMISSIONERS COURTROOM ON THE GROUND FLOOR OF THE CASS COUNTY
URTHOUSE IN THE CITY OF LINDEN, CASS COUNTY, TEXAS, AT WHICH TIME AND PLACE THE FOLLOWING
TTERS WILL BE ADDRESSED AND APPROPRIATE ACTION TAKEN:



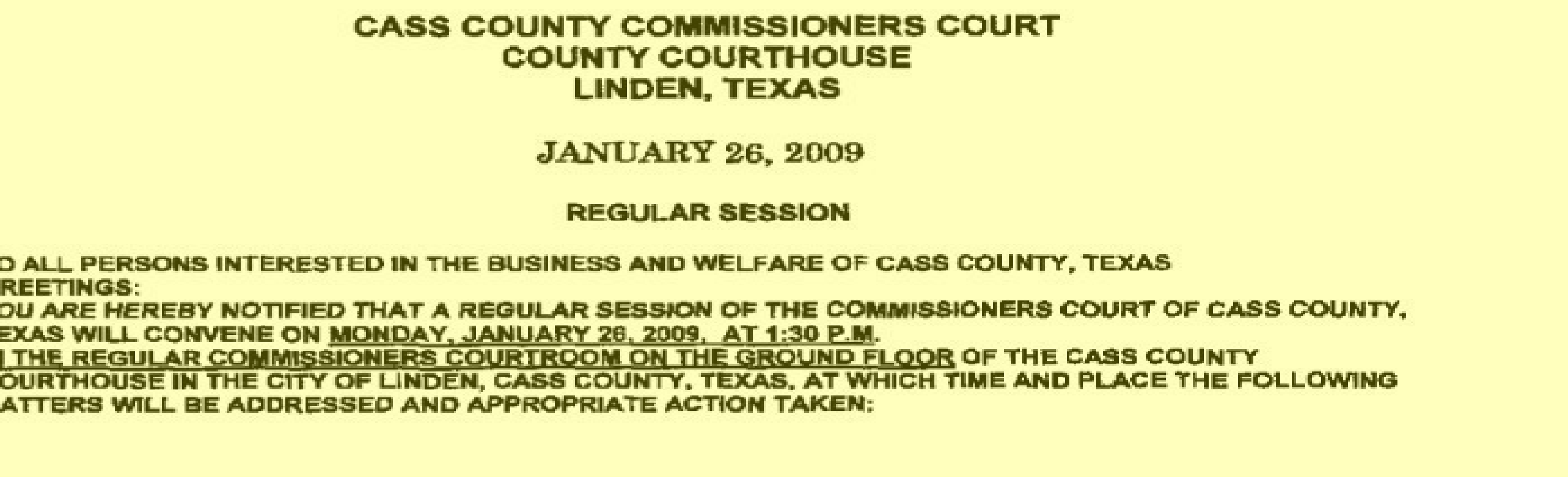
**DISCUSS INTERIM LOCATION FOR COUNTY CLERK DURING COURTHOUSE RESTORATION**

It is the concensus of the Court that the County Clerk will move to the Justice center while the courthouse is renovated.

**DISCUSS PLANS TO ADDRESS THE DETAILED PROCESS (WITH DEADLINES) FOR MOVING ALL OFFICES AFFECTED BY THE UPCOMING RESTORATION AND/OR RELOCATION OF OFFICES**

No action taken.

County Begins Moving Constitutional Offices

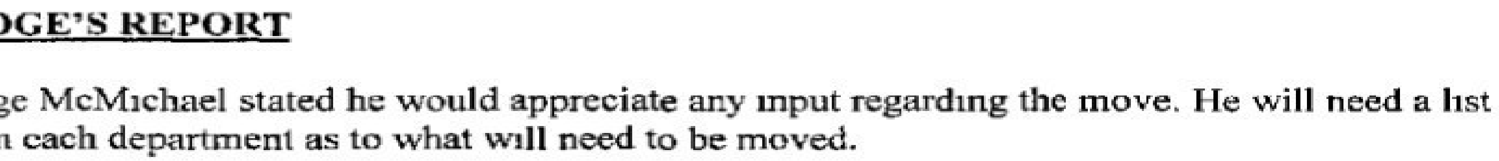


## CASS COUNTY COMMISSIONERS COURT
## COUNTY COURTHOUSE
## LINDEN, TEXAS

### JANUARY 26, 2009

### REGULAR SESSION

D ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS
REETINGS:
OU ARE HEREBY NOTIFIED THAT A REGULAR SESSION OF THE COMMISSIONERS COURT OF CASS COUNTY,
EXAS WILL CONVENE ON MONDAY, JANUARY 26, 2009, AT 1:30 P.M.
I THE REGULAR COMMISSIONERS COURTROOM ON THE GROUND FLOOR OF THE CASS COUNTY
OURTHOUSE IN THE CITY OF LINDEN, CASS COUNTY, TEXAS, AT WHICH TIME AND PLACE THE FOLLOWING
ATTERS WILL BE ADDRESSED AND APPROPRIATE ACTION TAKEN:



**DGE'S REPORT**

ge McMichael stated he would appreciate any input regarding the move. He will need a list
ı each department as to what will need to be moved.

# CASS COUNTY COMMISSIONERS COURT
# COUNTY COURTHOUSE
# LINDEN, TEXAS

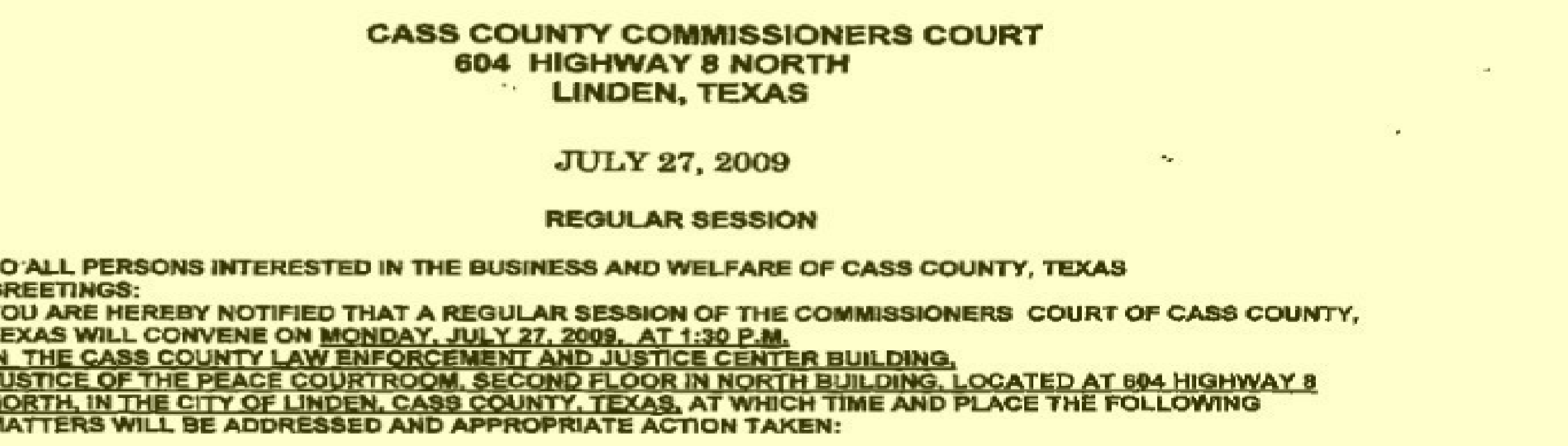
## JUNE 4, 2009

## REGULAR SESSION

TO ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS
GREETINGS:
YOU ARE HEREBY NOTIFIED THAT A REGULAR SESSION OF THE COMMISSIONERS COURT OF CASS COUNTY, TEXAS WILL CONVENE ON THURSDAY, JUNE 4, 2009, AT 1:30 P.M.
*IN THE REGULAR COMMISSIONERS COURTROOM ON THE GROUND FLOOR* OF THE CASS COUNTY COURTHOUSE IN THE CITY OF LINDEN, CASS COUNTY, TEXAS, AT WHICH TIME AND PLACE THE FOLLOWING MATTERS WILL BE ADDRESSED AND APPROPRIATE ACTION TAKEN:

## JUDGE'S REPORT

Judge McMichael told those relocating to the new facility to be prepared to move soon.

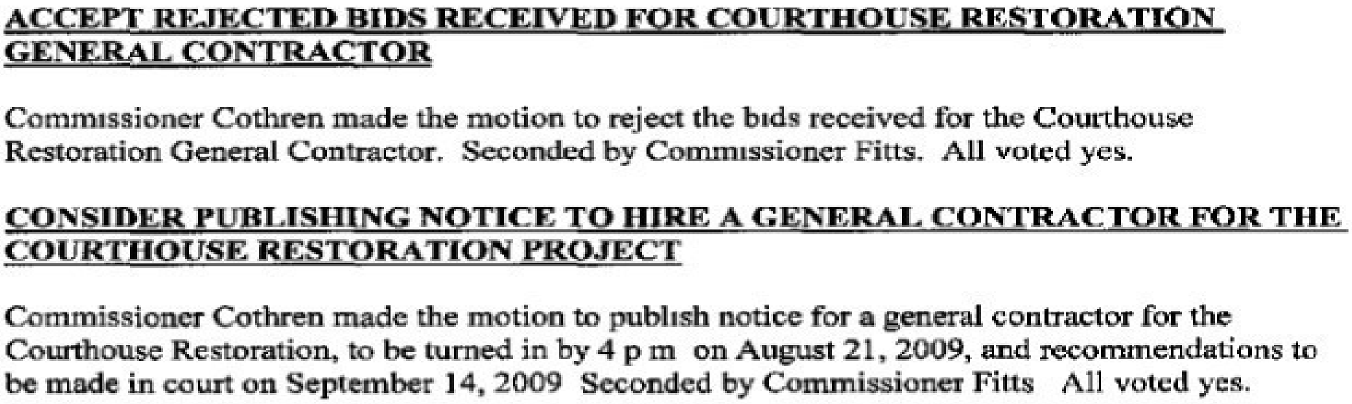


CASS COUNTY COMMISSIONERS COURT
604 HIGHWAY 8 NORTH
LINDEN, TEXAS

JULY 27, 2009

REGULAR SESSION

O ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS
REETINGS:
OU ARE HEREBY NOTIFIED THAT A REGULAR SESSION OF THE COMMISSIONERS COURT OF CASS COUNTY,
EXAS WILL CONVENE ON MONDAY, JULY 27, 2009, AT 1:30 P.M.
N THE CASS COUNTY LAW ENFORCEMENT AND JUSTICE CENTER BUILDING,
USTICE OF THE PEACE COURTROOM, SECOND FLOOR IN NORTH BUILDING, LOCATED AT 604 HIGHWAY 8
ORTH, IN THE CITY OF LINDEN, CASS COUNTY, TEXAS, AT WHICH TIME AND PLACE THE FOLLOWING
ATTERS WILL BE ADDRESSED AND APPROPRIATE ACTION TAKEN:



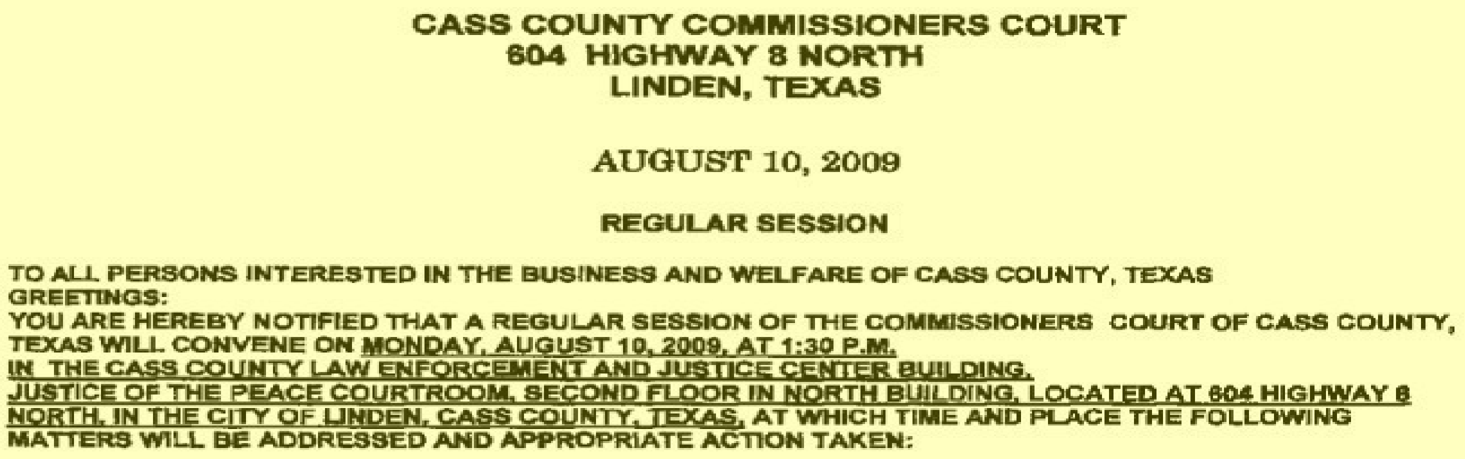
**ACCEPT REJECTED BIDS RECEIVED FOR COURTHOUSE RESTORATION GENERAL CONTRACTOR**

Commissioner Cothren made the motion to reject the bids received for the Courthouse Restoration General Contractor. Seconded by Commissioner Fitts. All voted yes.

**CONSIDER PUBLISHING NOTICE TO HIRE A GENERAL CONTRACTOR FOR THE COURTHOUSE RESTORATION PROJECT**

Commissioner Cothren made the motion to publish notice for a general contractor for the Courthouse Restoration, to be turned in by 4 p m on August 21, 2009, and recommendations to be made in court on September 14, 2009 Seconded by Commissioner Fitts All voted yes.

ly of two thousand nine the court placed a new address at the top of its record,
ting the first time the temporary location appeared in a regular session notice.

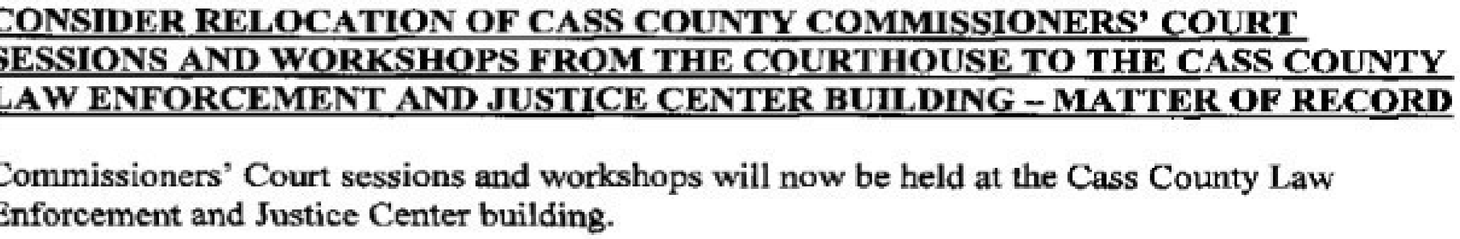


CASS COUNTY COMMISSIONERS COURT
604 HIGHWAY 8 NORTH
LINDEN, TEXAS

AUGUST 10, 2009

REGULAR SESSION

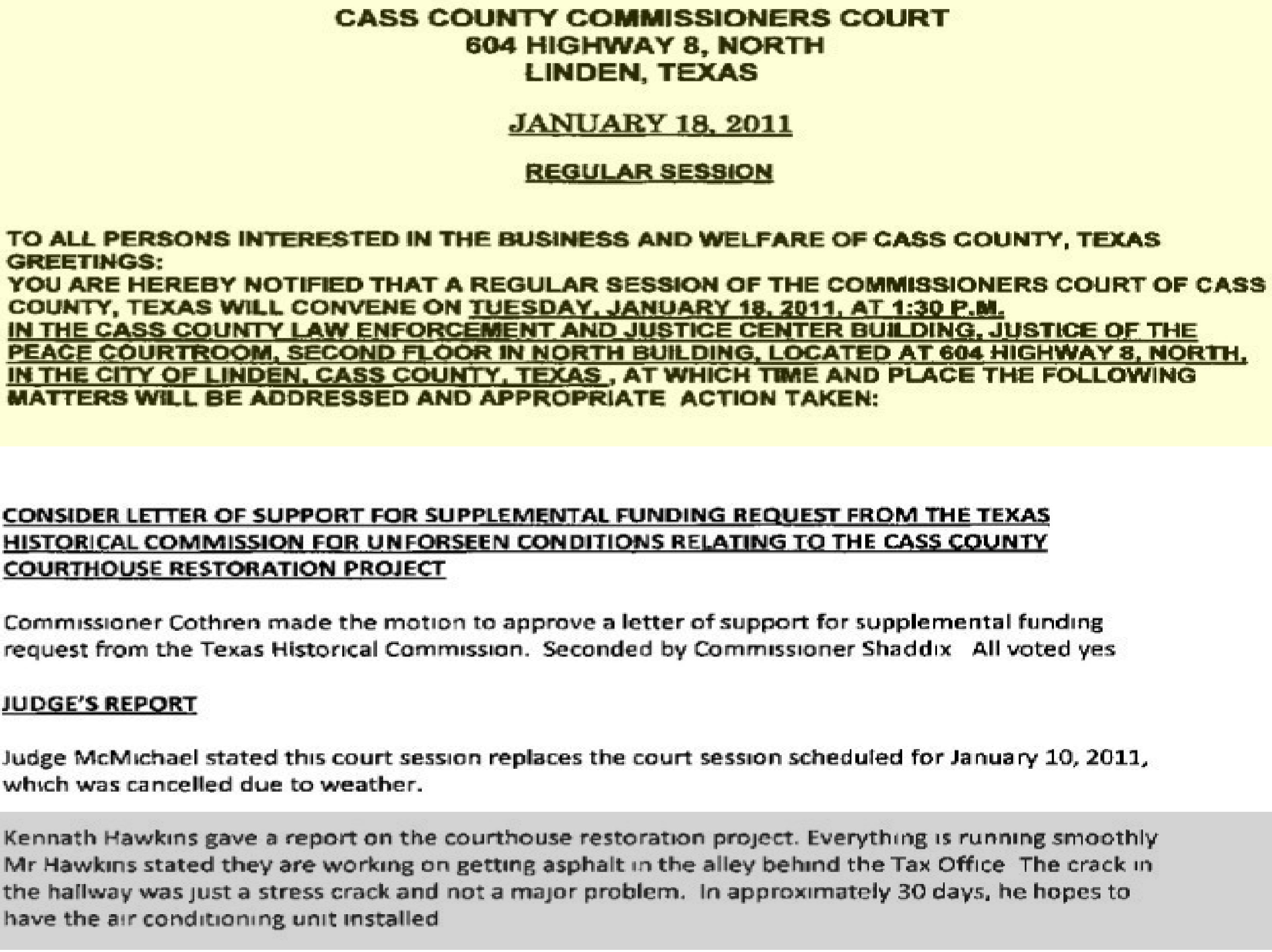
TO ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS
GREETINGS:
YOU ARE HEREBY NOTIFIED THAT A REGULAR SESSION OF THE COMMISSIONERS COURT OF CASS COUNTY, TEXAS WILL CONVENE ON MONDAY, AUGUST 10, 2009, AT 1:30 P.M.
IN THE CASS COUNTY LAW ENFORCEMENT AND JUSTICE CENTER BUILDING,
JUSTICE OF THE PEACE COURTROOM, SECOND FLOOR IN NORTH BUILDING, LOCATED AT 604 HIGHWAY 8 NORTH, IN THE CITY OF LINDEN, CASS COUNTY, TEXAS, AT WHICH TIME AND PLACE THE FOLLOWING MATTERS WILL BE ADDRESSED AND APPROPRIATE ACTION TAKEN:



**CONSIDER RELOCATION OF CASS COUNTY COMMISSIONERS' COURT SESSIONS AND WORKSHOPS FROM THE COURTHOUSE TO THE CASS COUNTY LAW ENFORCEMENT AND JUSTICE CENTER BUILDING – MATTER OF RECORD**

Commissioners' Court sessions and workshops will now be held at the Cass County Law Enforcement and Justice Center building.

Court Formally Shifts All Sessions to the Justice Center



CASS COUNTY COMMISSIONERS COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

JANUARY 18, 2011

REGULAR SESSION

**TO ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS GREETINGS:**
**YOU ARE HEREBY NOTIFIED THAT A REGULAR SESSION OF THE COMMISSIONERS COURT OF CASS COUNTY, TEXAS WILL CONVENE ON TUESDAY, JANUARY 18, 2011, AT 1:30 P.M. IN THE CASS COUNTY LAW ENFORCEMENT AND JUSTICE CENTER BUILDING, JUSTICE OF THE PEACE COURTROOM, SECOND FLOOR IN NORTH BUILDING, LOCATED AT 604 HIGHWAY 8, NORTH, IN THE CITY OF LINDEN, CASS COUNTY, TEXAS , AT WHICH TIME AND PLACE THE FOLLOWING MATTERS WILL BE ADDRESSED AND APPROPRIATE ACTION TAKEN:**

**CONSIDER LETTER OF SUPPORT FOR SUPPLEMENTAL FUNDING REQUEST FROM THE TEXAS HISTORICAL COMMISSION FOR UNFORSEEN CONDITIONS RELATING TO THE CASS COUNTY COURTHOUSE RESTORATION PROJECT**

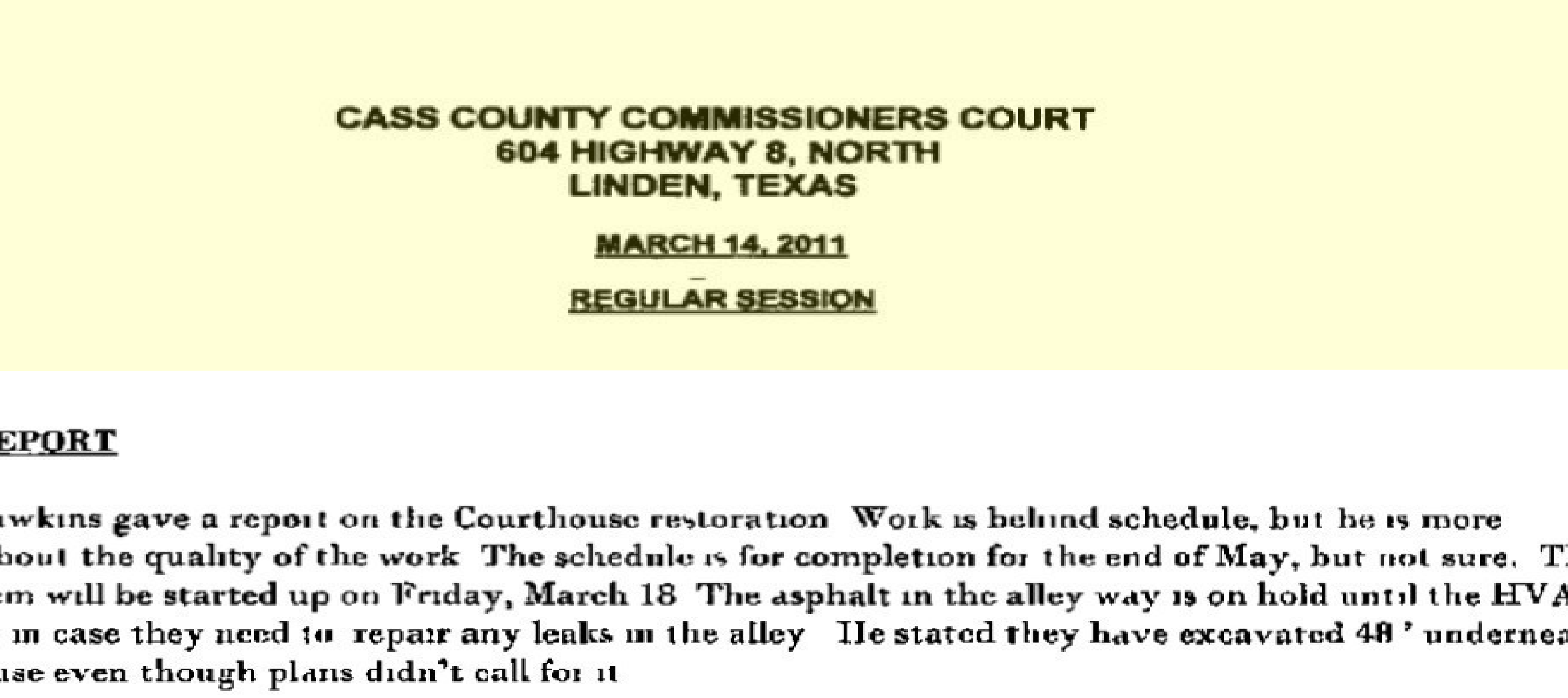
Commissioner Cothren made the motion to approve a letter of support for supplemental funding request from the Texas Historical Commission. Seconded by Commissioner Shaddix All voted yes

**JUDGE'S REPORT**

Judge McMichael stated this court session replaces the court session scheduled for January 10, 2011, which was cancelled due to weather.

Kennath Hawkins gave a report on the courthouse restoration project. Everything is running smoothly Mr Hawkins stated they are working on getting asphalt in the alley behind the Tax Office The crack in the hallway was just a stress crack and not a major problem. In approximately 30 days, he hopes to have the air conditioning unit installed

This entry documents the period when the Courthouse Restoration was underway and the Commissioners Court received regular status updates from the Historic Commission's project manager, Ken Hawkins.



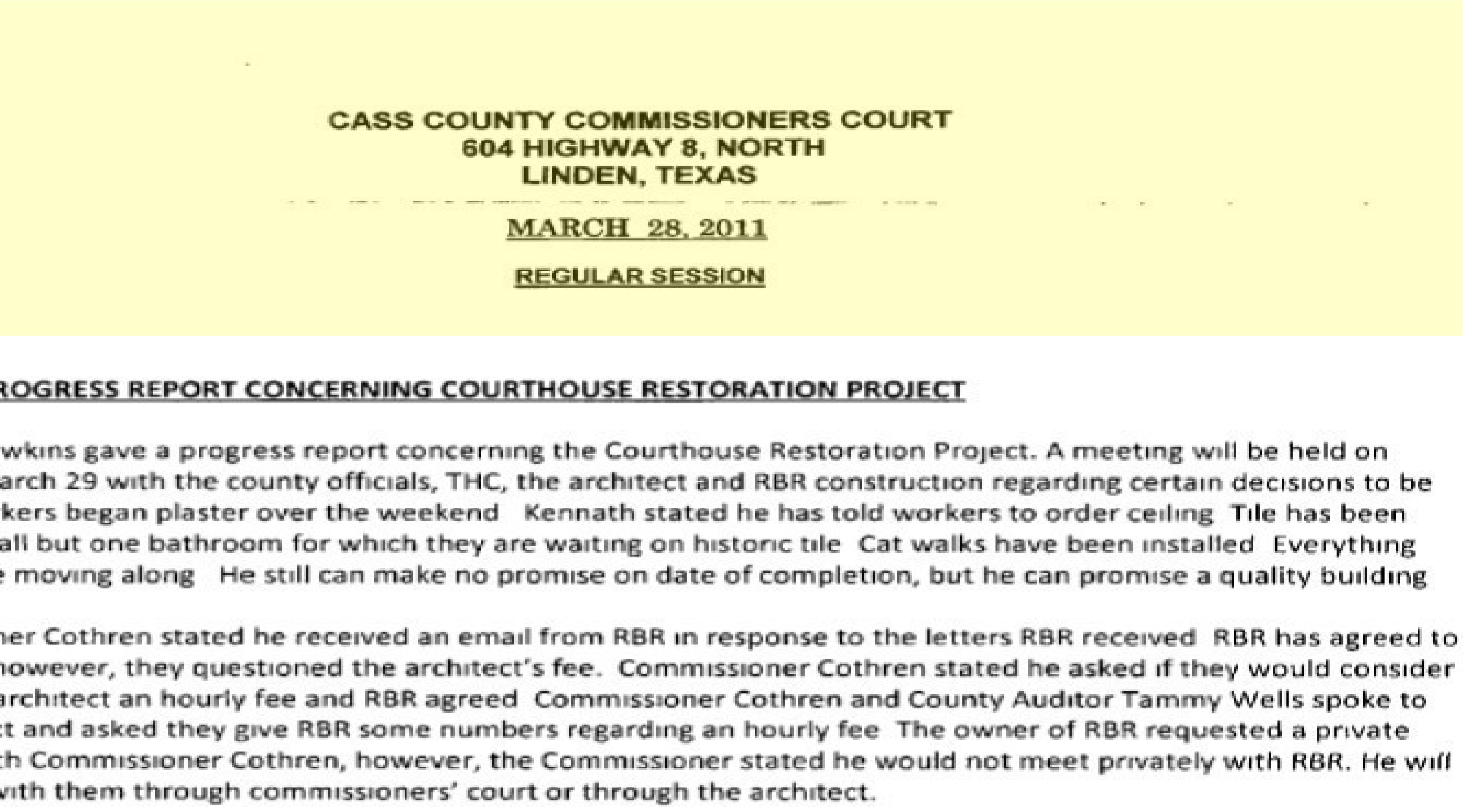
CASS COUNTY COMMISSIONERS COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

MARCH 14, 2011

REGULAR SESSION

EPORT

wkins gave a report on the Courthouse restoration Work is behind schedule, but he is more
bout the quality of the work The schedule is for completion for the end of May, but not sure. T
em will be started up on Friday, March 18 The asphalt in the alley way is on hold until the HVA
in case they need to repair any leaks in the alley He stated they have excavated 48 ' underne
ise even though plans didn't call for it



CASS COUNTY COMMISSIONERS COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

MARCH 28, 2011

REGULAR SESSION

ROGRESS REPORT CONCERNING COURTHOUSE RESTORATION PROJECT

wkins gave a progress report concerning the Courthouse Restoration Project. A meeting will be held on
arch 29 with the county officials, THC, the architect and RBR construction regarding certain decisions to be
kers began plaster over the weekend Kennath stated he has told workers to order ceiling Tile has been
all but one bathroom for which they are waiting on historic tile Cat walks have been installed Everything
e moving along He still can make no promise on date of completion, but he can promise a quality building

ner Cothren stated he received an email from RBR in response to the letters RBR received RBR has agreed to
however, they questioned the architect's fee. Commissioner Cothren stated he asked if they would consider
architect an hourly fee and RBR agreed Commissioner Cothren and County Auditor Tammy Wells spoke to
t and asked they give RBR some numbers regarding an hourly fee The owner of RBR requested a private
h Commissioner Cothren, however, the Commissioner stated he would not meet privately with RBR. He will
with them through commissioners' court or through the architect.

## CASS COUNTY COMMISSIONERS COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

APRIL 11, 2011

REGULAR SESSION

**REPORT**

Hawkins gave a report on the progress of the courthouse restoration project RBR has
ented some of the contractors The plumber and plasterer are behind so other companies
ought out to work on their contracts. He hopes to start digging by April 13 for the water
and French drains on the east side. On April 25, the water proofers are scheduled to begin
rk In two weeks he hopes to begin putting on the exterior sealant Hopefully within the nex
ys the outside will begin to wrap up and some of the fencing can come down.

## CASS COUNTY COMMISSIONERS COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

MAY 9, 2011

REGULAR SESSION

h Hawkins gave a report on the courthouse restoration. The heat and air are on. The plaster is
ng worked on Should start on the inside soon The signs for the sidewalks on the north side hav
pproved by THC The mineral coating on the courthouse should be next week The north and ea
ntains the color the courthouse will be

# CASS COUNTY COMMISSIONERS COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

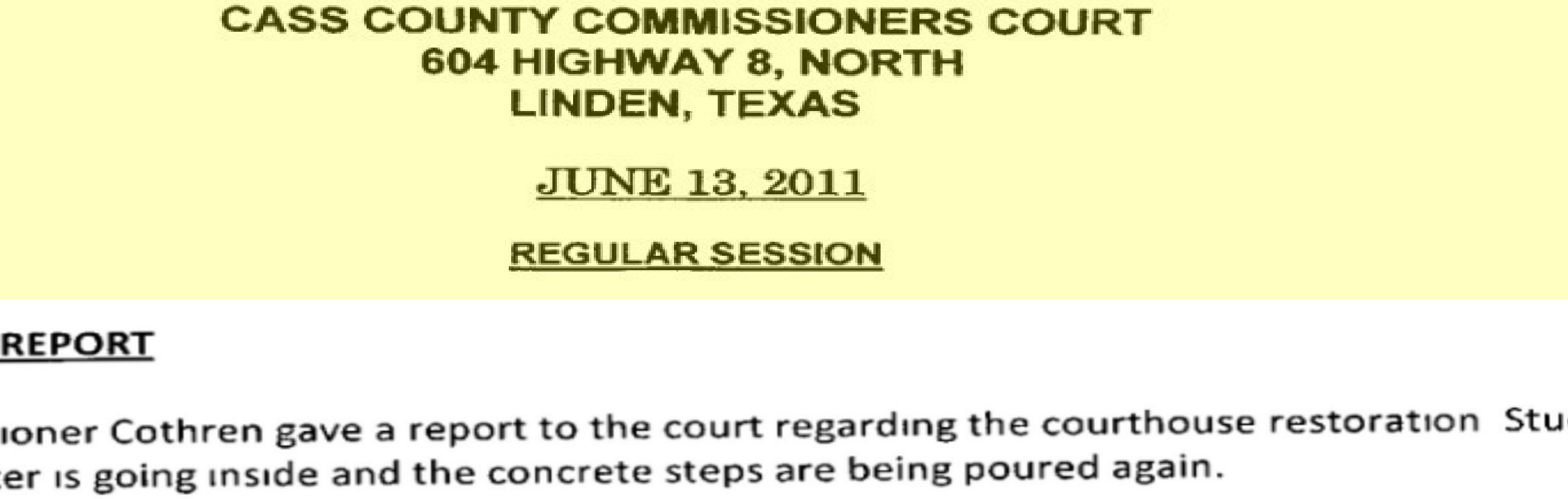
## MAY 23, 2011

## REGULAR SESSION

### S REPORT

n Hawkins spoke to the court about the courthouse restoration. THC will visit on
y, May 24. The boilers are now working as is the heat and air. Stucco was partiall
ed. The steps on the south side were not approved. Plaster is going in on 3rd floo
gh no exact date for completion can be given, possibly August, 2011.

try marks the first point in the record indicating that the courthouse restoration would
beyond the projected schedule.



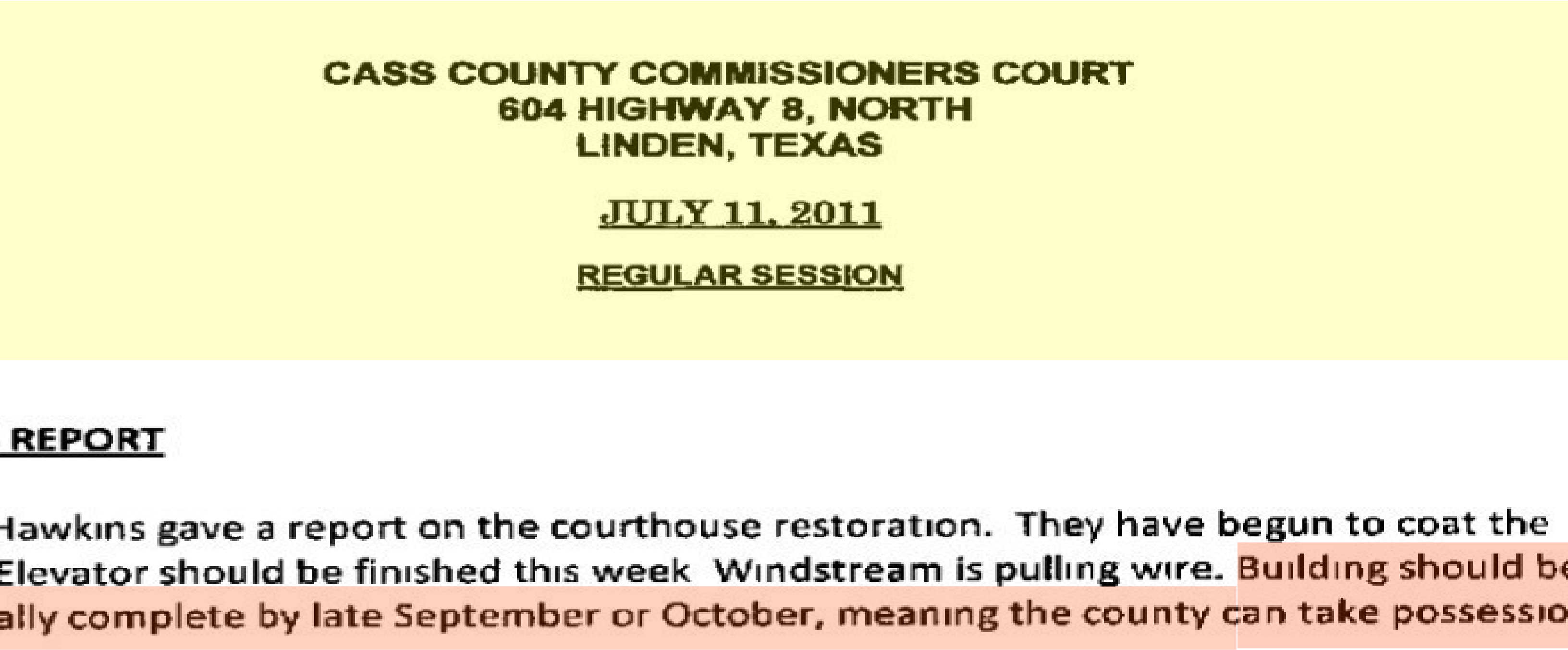
## CASS COUNTY COMMISSIONERS COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

JUNE 13, 2011

REGULAR SESSION

**REPORT**

ioner Cothren gave a report to the court regarding the courthouse restoration  Stu
er is going inside and the concrete steps are being poured again.



## CASS COUNTY COMMISSIONERS COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

JULY 11, 2011

REGULAR SESSION

**REPORT**

Hawkins gave a report on the courthouse restoration.  They have begun to coat the
Elevator should be finished this week  Windstream is pulling wire. Building should be
ally complete by late September or October, meaning the county can take possessio

# Cass County Commissioners Court
# Law Enforcement and Justice Center Building
# Linden, Texas

July 21, 2011

**Special Session**

## CASS COUNTY COURTHOUSE RESTORATION PROJECT RELATING TO CONTRACTUAL CHANGES E TEXAS HISTORICAL COMMISSION

oner Fitts made the motion to submit a letter to the Texas Historical Commission asking for the e that THC recaptured Seconded by Commissioner Cothren All voted yes

---

July 21, 2011

Mark Wolfe, Executive Director
Texas Historical Commission
PO Box 12276
Austin, TX 78711

RE Request for Supplemental THCPP Funding to Restore Recaptured Funding

Dear Mr Wolfe,

On behalf of the Cass County Commissioners' Court and the citizens of Cass County, I respectfully request that the Texas Historic Courthouse Preservation Program provide our county with supplemental funds in order to restore a portion of our original grant that was mistakenly recaptured by the THC Although our project came in under bid, the THC based its recapture calculations on construction costs that did not include abatement contracts which once executed, totaled $232,060 The county would like to ask the THC to restore this amount plus its associated 10% contingency so that Cass County has sufficient funds to complete its restoration Cass County based change order decisions on a contingency that was constructed by the architect who was unaware of the recapture error Because of this, the county needs the THC to restore the requested portion of its original grant funds so that the project can be completed

Please find the current and accurate contingency log as well as the contract amounts for abatement related work If you have any questions, please do not hesitate to contact me at 903-796-4502

Sincerely,

Paul Cothren
Cass County Commissioner

Cc Stan Graves, Director – Division of Architecture
Susan Gammage, Project Reviewer – THCPP
David Chase, Architect – ArchiTexas

**Pending Public Donation*

---

CASS COUNTY COMMISSIONERS COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

JULY 25, 2011

REGULAR SESSION

**REPORT**

Hawkins gave a report on the courthouse restoration There is still a possible finish date
ber or October

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CASS COUNTY COMMISSIONERS COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

AUGUST 8, 2011

REGULAR SESSION

**DER CHANGE ORDER REQUEST FOR COURTHOUSE RESTORATION PROJECT**

ssioner Cothren made the motion to approve item #5 from the change order
ency log, which will replace the sidewalks around the courthouse and to accept fun
y citizens, local businesses and the Cass County Conservancy to pay for change orde
ed by Commissioner Fitts. All voted yes.

**CASS COUNTY COMMISSIONERS COURT**
**604 HIGHWAY 8, NORTH**
**LINDEN, TEXAS**

**SEPTEMBER 12, 2011**

**REGULAR SESSION**

**S REPORT**

awkins gave a report on the courthouse restoration. He should be able to finish the sidewalks with
ouple of weeks. If a window is red it means that it was a wooden window and if it is white, it mea
etal window

---

**CASS COUNTY COMMISSIONERS COURT**
**604 HIGHWAY 8, NORTH**
**LINDEN, TEXAS**

**OCTOBER 24, 2011**

**REGULAR SESSION**

**S REPORT**

sioner Cothren stated Kennath Hawkins will meet with the Judge The floors, the roof and the
looks good Don Blackwell spoke to the court about emergency management They are still o

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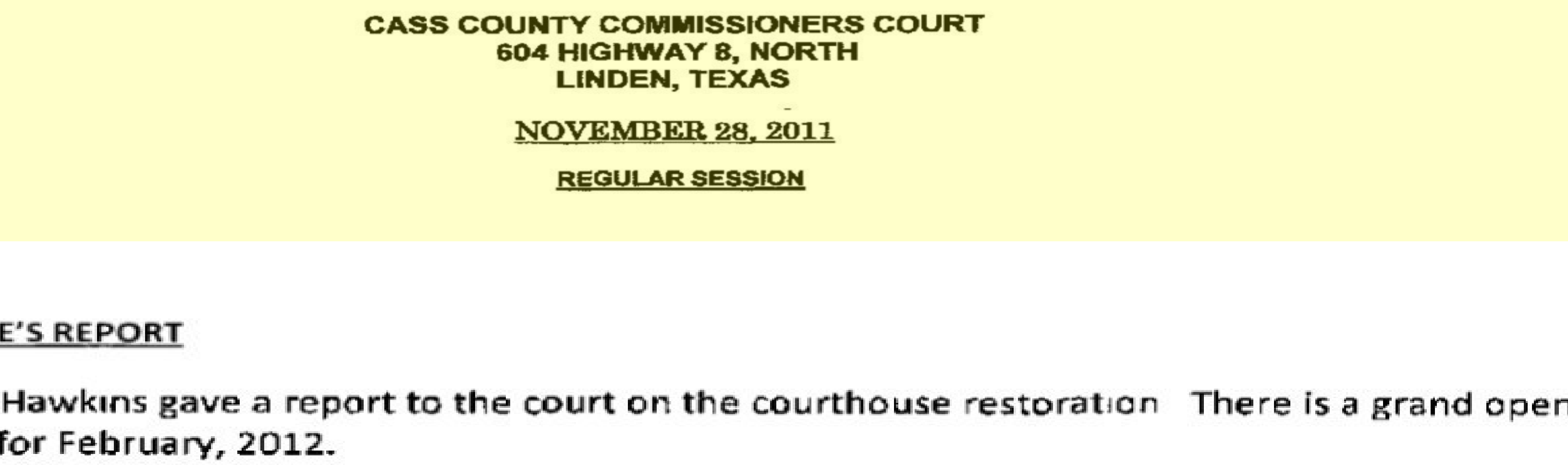
**CASS COUNTY COMMISSIONERS COURT**
**604 HIGHWAY 8, NORTH**
**LINDEN, TEXAS**

**NOVEMBER 14, 2011**

**REGULAR SESSION**

**S REPORT**

Hawkins gave a report on the courthouse restoration· the grass is in, the outside is painted, 95% of the inside is
There is a hold up on the light fixtures and hardware The oak tree is causing a problem and he recommends it
own. The garden club, as well as all Commissioners' Court members, agree that the tree can be cut down



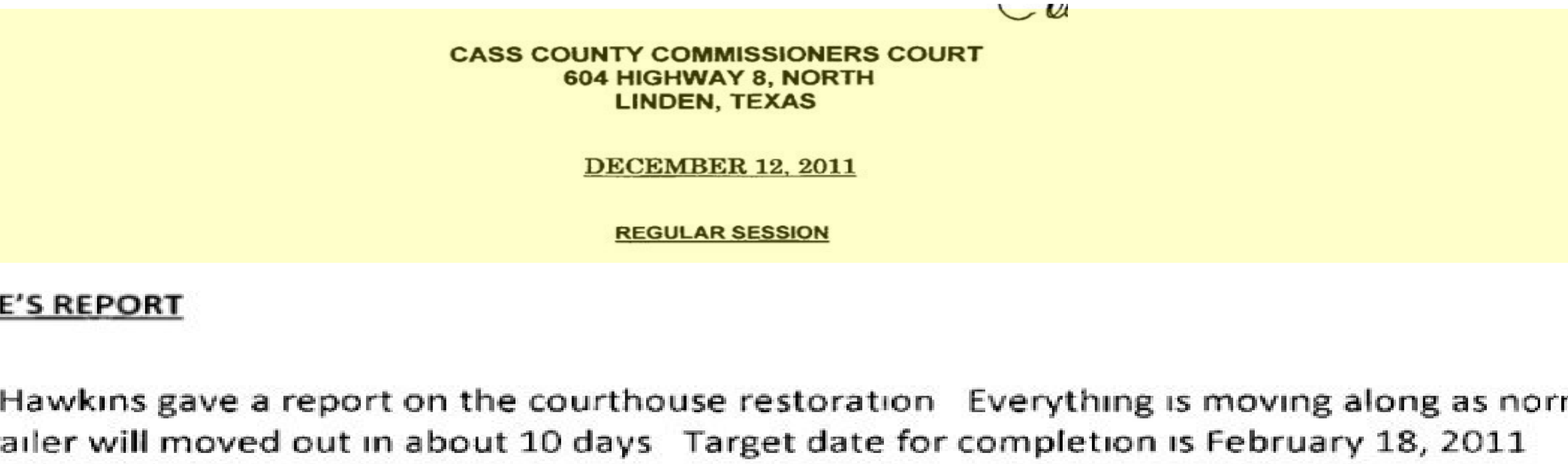
CASS COUNTY COMMISSIONERS COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

NOVEMBER 28, 2011

REGULAR SESSION

E'S REPORT

Hawkins gave a report to the court on the courthouse restoration There is a grand open
for February, 2012.



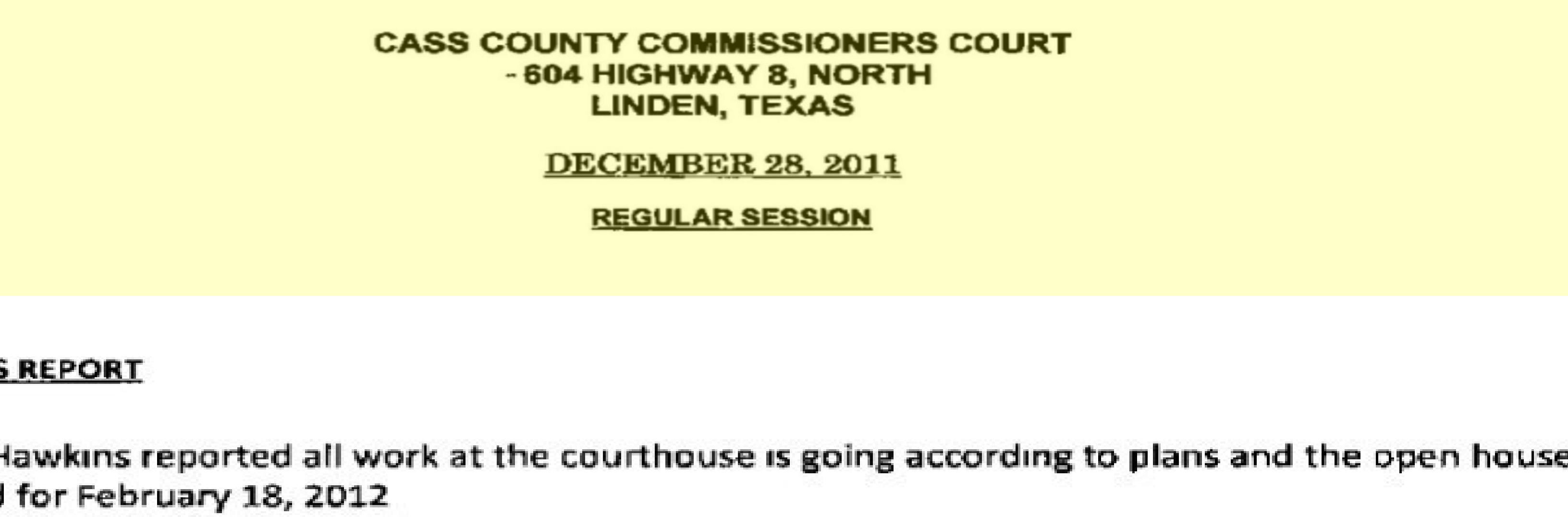
CASS COUNTY COMMISSIONERS COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

DECEMBER 12, 2011

REGULAR SESSION

E'S REPORT

Hawkins gave a report on the courthouse restoration Everything is moving along as norr
ailer will moved out in about 10 days Target date for completion is February 18, 2011



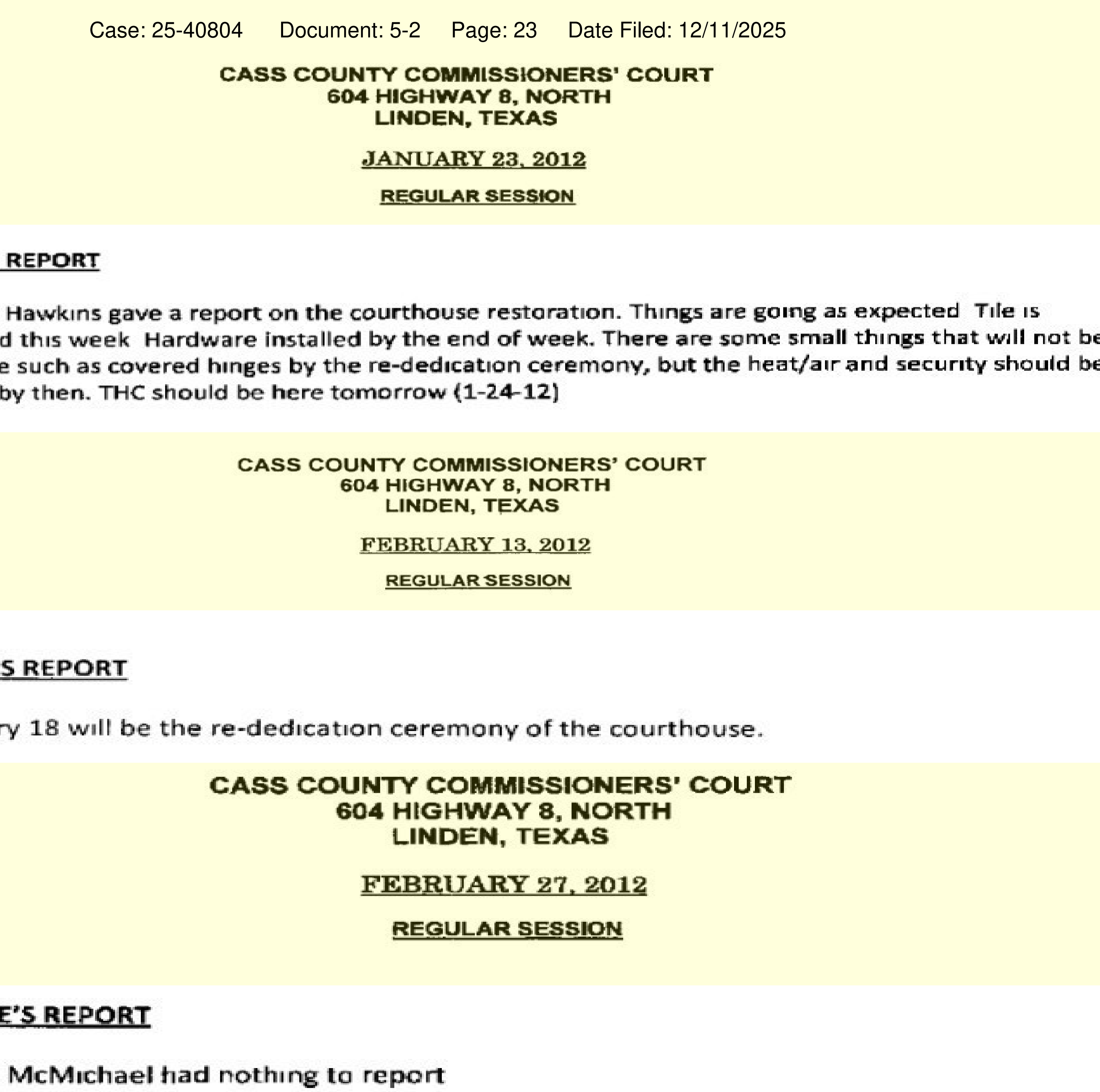
CASS COUNTY COMMISSIONERS COURT
- 604 HIGHWAY 8, NORTH
LINDEN, TEXAS

DECEMBER 28, 2011

REGULAR SESSION

S REPORT

Hawkins reported all work at the courthouse is going according to plans and the open house
l for February 18, 2012



CASS COUNTY COMMISSIONERS' COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

JANUARY 23, 2012

REGULAR SESSION

REPORT

Hawkins gave a report on the courthouse restoration. Things are going as expected Tile is
d this week Hardware installed by the end of week. There are some small things that will not be
e such as covered hinges by the re-dedication ceremony, but the heat/air and security should be
by then. THC should be here tomorrow (1-24-12)

CASS COUNTY COMMISSIONERS' COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

FEBRUARY 13, 2012

REGULAR SESSION

S REPORT

ry 18 will be the re-dedication ceremony of the courthouse.

CASS COUNTY COMMISSIONERS' COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

FEBRUARY 27, 2012

REGULAR SESSION

E'S REPORT

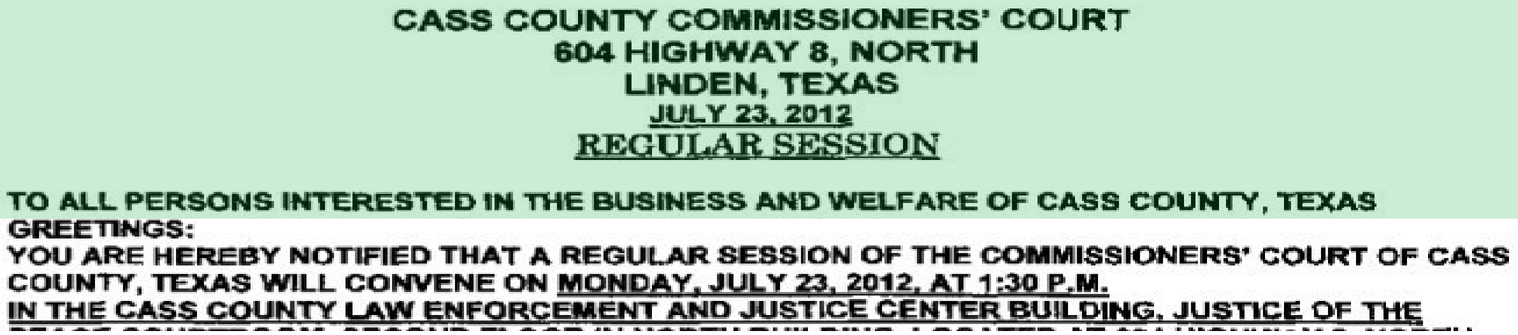
McMichael had nothing to report

## I : CONCLUSION

cord shows a full restoration of the Cass County Courthouse supported by state grant ns, local appropriations, and change-order adjustments. The project moved through cost increases, and administrative revisions, yet the work advanced to complete ral and functional readiness. The restored courthouse received public acknowledgment its re-dedication and stood open and prepared for county use. During this same period nmissioners Court met at the Justice Center under a temporary arrangement created by ction-related circumstances. The Texas statutes governing the county seat contain no ty for a temporary relocation of the seat of government, and the record contains no on authorizing officers to conduct their duties at the Justice Center. The county seat ed at the courthouse by operation of law while government functions occurred at another . When the restoration reached full completion the court did not enter any action g sessions to the courthouse. The period closes with a restored courthouse and an g pattern of government activity in a building that never received lawful designation.

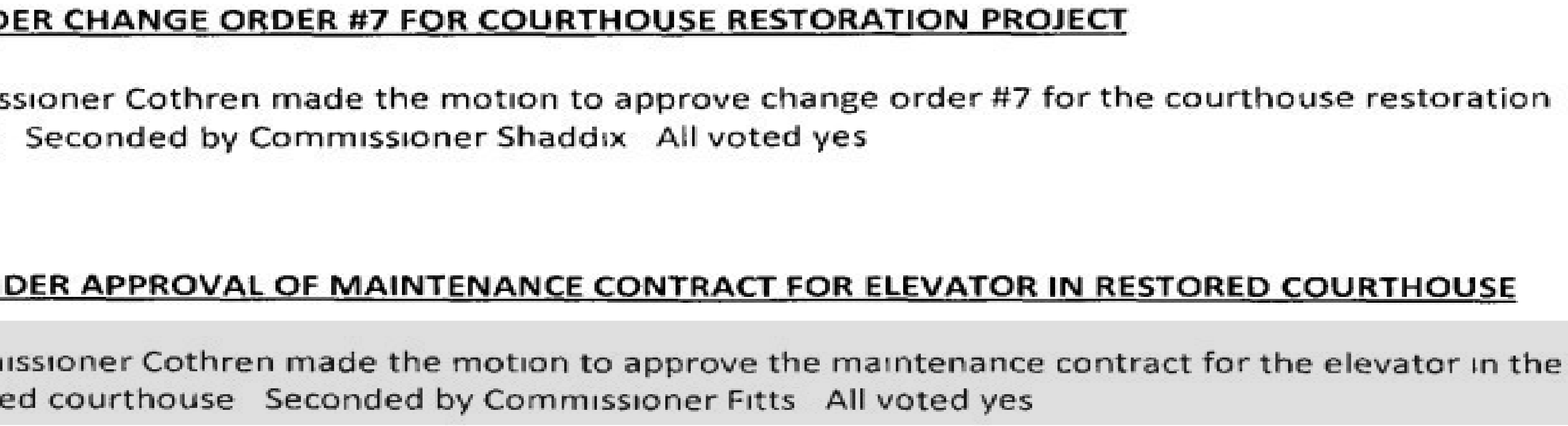
# PART II : RESTRUCTURING 2012-2017

CASS COUNTY COMMISSIONERS' COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS



CASS COUNTY COMMISSIONERS' COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS
JULY 23, 2012
REGULAR SESSION

TO ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS
GREETINGS:
YOU ARE HEREBY NOTIFIED THAT A REGULAR SESSION OF THE COMMISSIONERS' COURT OF CASS COUNTY, TEXAS WILL CONVENE ON MONDAY, JULY 23, 2012, AT 1:30 P.M.
IN THE CASS COUNTY LAW ENFORCEMENT AND JUSTICE CENTER BUILDING, JUSTICE OF THE



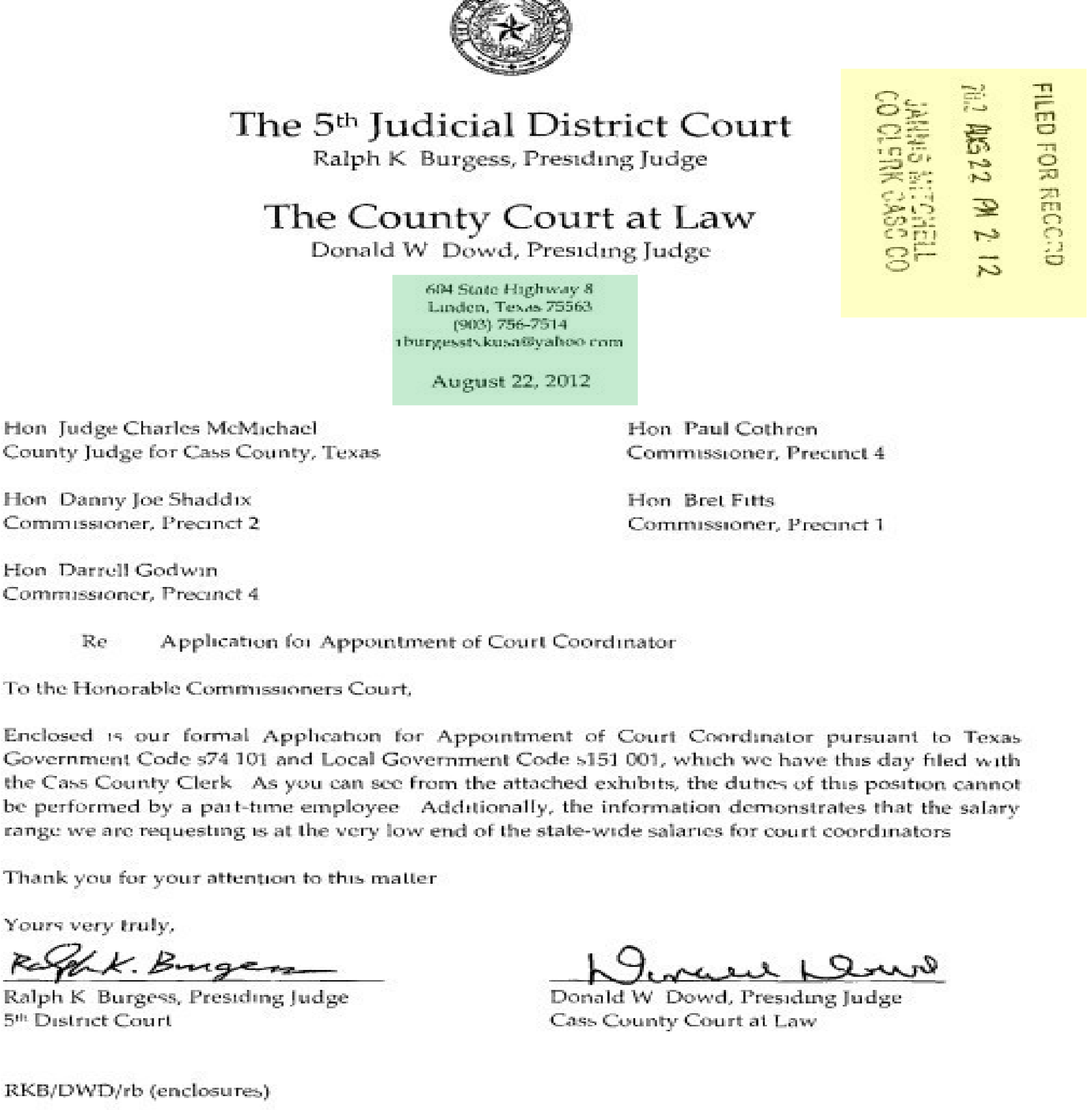
DER CHANGE ORDER #7 FOR COURTHOUSE RESTORATION PROJECT

ssioner Cothren made the motion to approve change order #7 for the courthouse restoration
Seconded by Commissioner Shaddix All voted yes

DER APPROVAL OF MAINTENANCE CONTRACT FOR ELEVATOR IN RESTORED COURTHOUSE

issioner Cothren made the motion to approve the maintenance contract for the elevator in the
ed courthouse Seconded by Commissioner Fitts All voted yes

ntry records the County's formal recognition of the restored courthouse as an active
building. Approval of a maintenance contract for the elevator required the
ssioners Court to acknowledge the courthouse as a completed structure placed into
onal status under county ownership and state oversight.



The 5th Judicial District Court
Ralph K Burgess, Presiding Judge

The County Court at Law
Donald W Dowd, Presiding Judge

604 State Highway 8
Linden, Texas 75563
(903) 756-7514
rburgesstxkusa@yahoo com

FILED FOR RECORD
2012 AUG 22 PM 2 12
JANNIS MITCHELL
CO CLERK CASS CO

August 22, 2012

Hon Judge Charles McMichael
County Judge for Cass County, Texas

Hon Paul Cothren
Commissioner, Precinct 4

Hon Danny Joe Shaddix
Commissioner, Precinct 2

Hon Bret Fitts
Commissioner, Precinct 1

Hon Darrell Godwin
Commissioner, Precinct 4

Re Application for Appointment of Court Coordinator

To the Honorable Commissioners Court,

Enclosed is our formal Application for Appointment of Court Coordinator pursuant to Texas Government Code §74 101 and Local Government Code §151 001, which we have this day filed with the Cass County Clerk As you can see from the attached exhibits, the duties of this position cannot be performed by a part-time employee Additionally, the information demonstrates that the salary range we are requesting is at the very low end of the state-wide salaries for court coordinators

Thank you for your attention to this matter

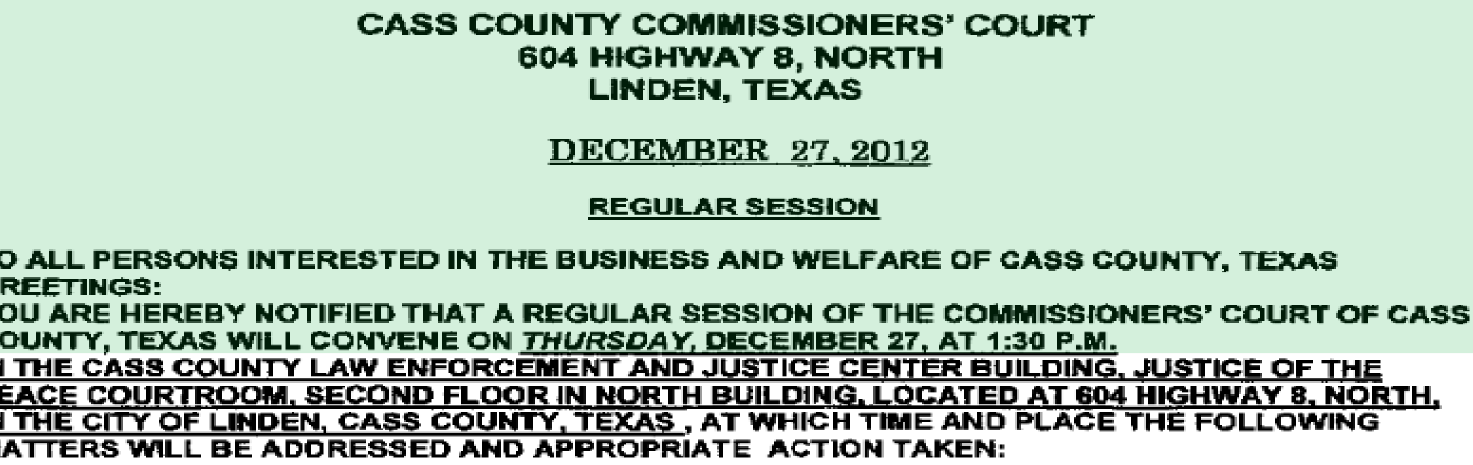
Yours very truly,

Ralph K. Burgess
Ralph K Burgess, Presiding Judge
5th District Court

Donald W Dowd, Presiding Judge
Cass County Court at Law

RKB/DWD/rb (enclosures)

the record shows the first documented separation between the County
nd the operational location of court administration. The District Court issued
quest from the Justice Center, while the County Clerk’s file stamp identifies the
thouse at 100 East Houston Street as the official site for record authority. The
placement marks the administrative shift that made a court coordinator
ssary to link the judge’s operations to the statutory venue.

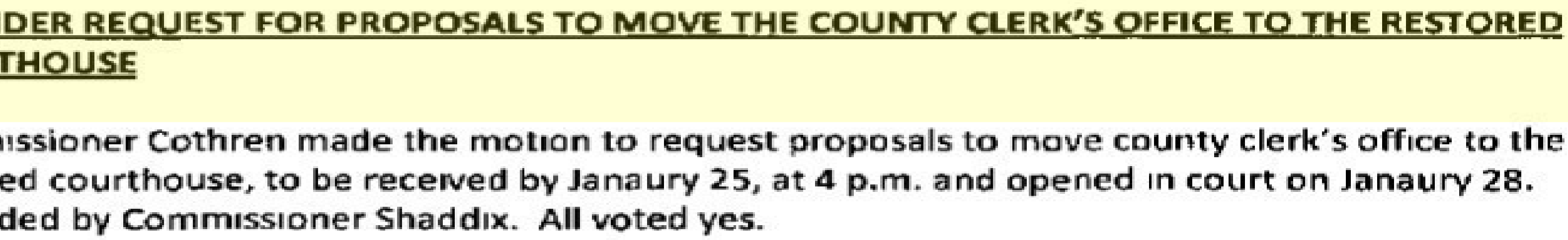


**CASS COUNTY COMMISSIONERS' COURT**
**604 HIGHWAY 8, NORTH**
**LINDEN, TEXAS**

**DECEMBER 27, 2012**

**REGULAR SESSION**

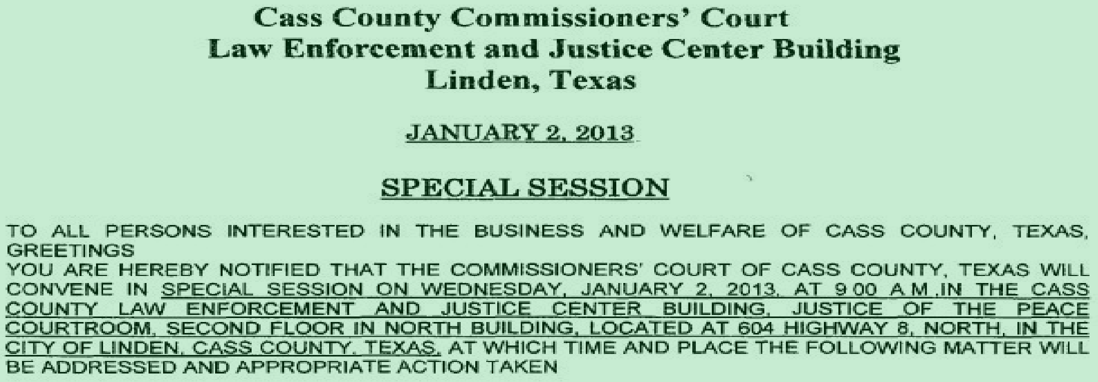
O ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS
REETINGS:
OU ARE HEREBY NOTIFIED THAT A REGULAR SESSION OF THE COMMISSIONERS' COURT OF CASS
OUNTY, TEXAS WILL CONVENE ON *THURSDAY*, DECEMBER 27, AT 1:30 P.M.
I THE CASS COUNTY LAW ENFORCEMENT AND JUSTICE CENTER BUILDING, JUSTICE OF THE
EACE COURTROOM, SECOND FLOOR IN NORTH BUILDING, LOCATED AT 604 HIGHWAY 8, NORTH,
I THE CITY OF LINDEN, CASS COUNTY, TEXAS , AT WHICH TIME AND PLACE THE FOLLOWING
ATTERS WILL BE ADDRESSED AND APPROPRIATE ACTION TAKEN:



DER REQUEST FOR PROPOSALS TO MOVE THE COUNTY CLERK'S OFFICE TO THE RESTORED
THOUSE

nissioner Cothren made the motion to request proposals to move county clerk's office to the
ed courthouse, to be received by Janaury 25, at 4 p.m. and opened in court on Janaury 28.
ded by Commissioner Shaddix. All voted yes.

nder Texas law, the County Clerk is the first constitutional officer whose office must
ccupy the county seat – the other officers follow.

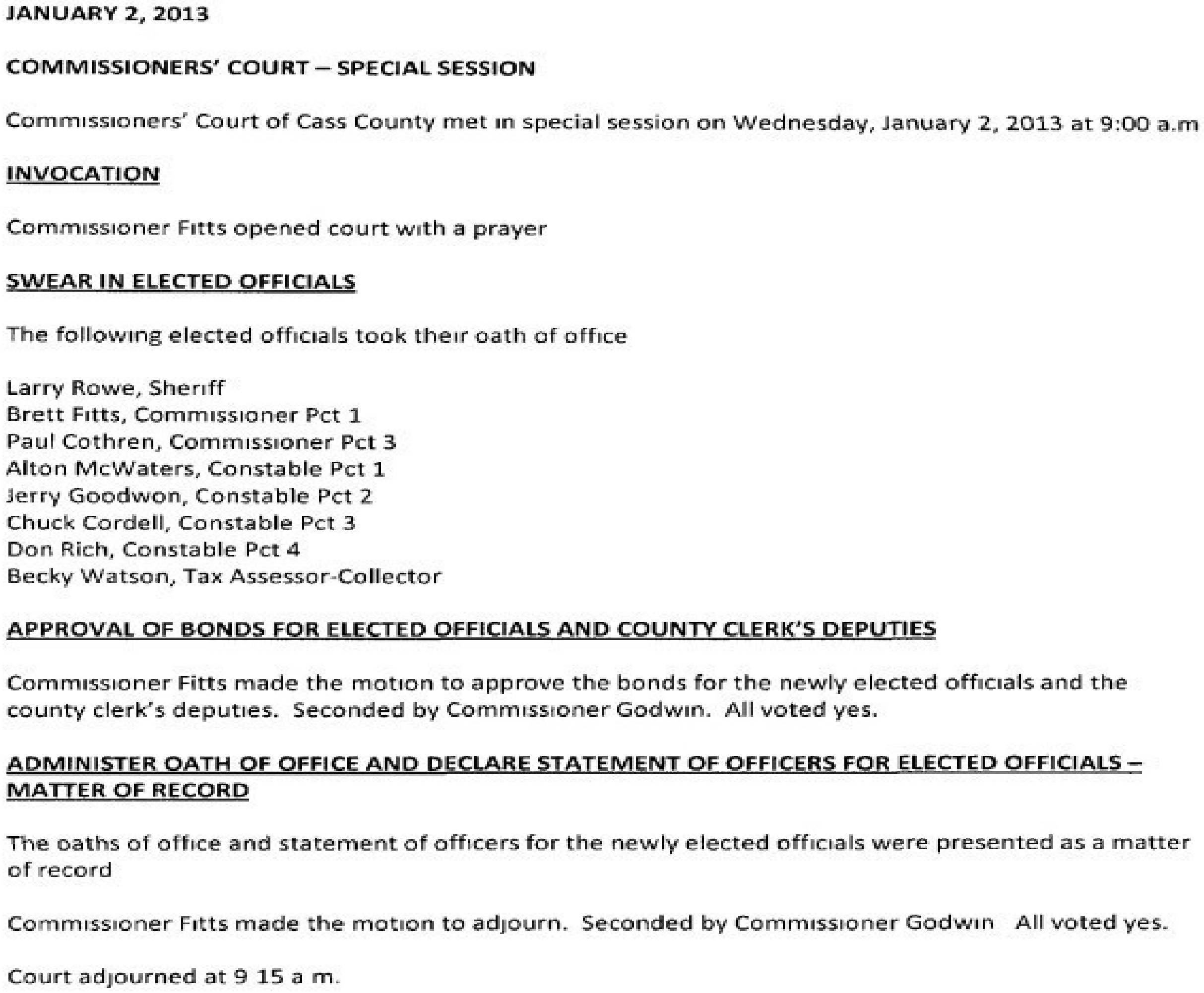


## Cass County Commissioners' Court
## Law Enforcement and Justice Center Building
## Linden, Texas

JANUARY 2, 2013

### SPECIAL SESSION

TO ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS, GREETINGS
YOU ARE HEREBY NOTIFIED THAT THE COMMISSIONERS' COURT OF CASS COUNTY, TEXAS WILL CONVENE IN SPECIAL SESSION ON WEDNESDAY, JANUARY 2, 2013, AT 9 00 A M .IN THE CASS COUNTY LAW ENFORCEMENT AND JUSTICE CENTER BUILDING, JUSTICE OF THE PEACE COURTROOM, SECOND FLOOR IN NORTH BUILDING, LOCATED AT 604 HIGHWAY 8, NORTH, IN THE CITY OF LINDEN, CASS COUNTY, TEXAS, AT WHICH TIME AND PLACE THE FOLLOWING MATTER WILL BE ADDRESSED AND APPROPRIATE ACTION TAKEN



**JANUARY 2, 2013**

**COMMISSIONERS' COURT – SPECIAL SESSION**

Commissioners' Court of Cass County met in special session on Wednesday, January 2, 2013 at 9:00 a.m

**INVOCATION**

Commissioner Fitts opened court with a prayer

**SWEAR IN ELECTED OFFICIALS**

The following elected officials took their oath of office

Larry Rowe, Sheriff
Brett Fitts, Commissioner Pct 1
Paul Cothren, Commissioner Pct 3
Alton McWaters, Constable Pct 1
Jerry Goodwon, Constable Pct 2
Chuck Cordell, Constable Pct 3
Don Rich, Constable Pct 4
Becky Watson, Tax Assessor-Collector

**APPROVAL OF BONDS FOR ELECTED OFFICIALS AND COUNTY CLERK'S DEPUTIES**

Commissioner Fitts made the motion to approve the bonds for the newly elected officials and the county clerk's deputies. Seconded by Commissioner Godwin. All voted yes.

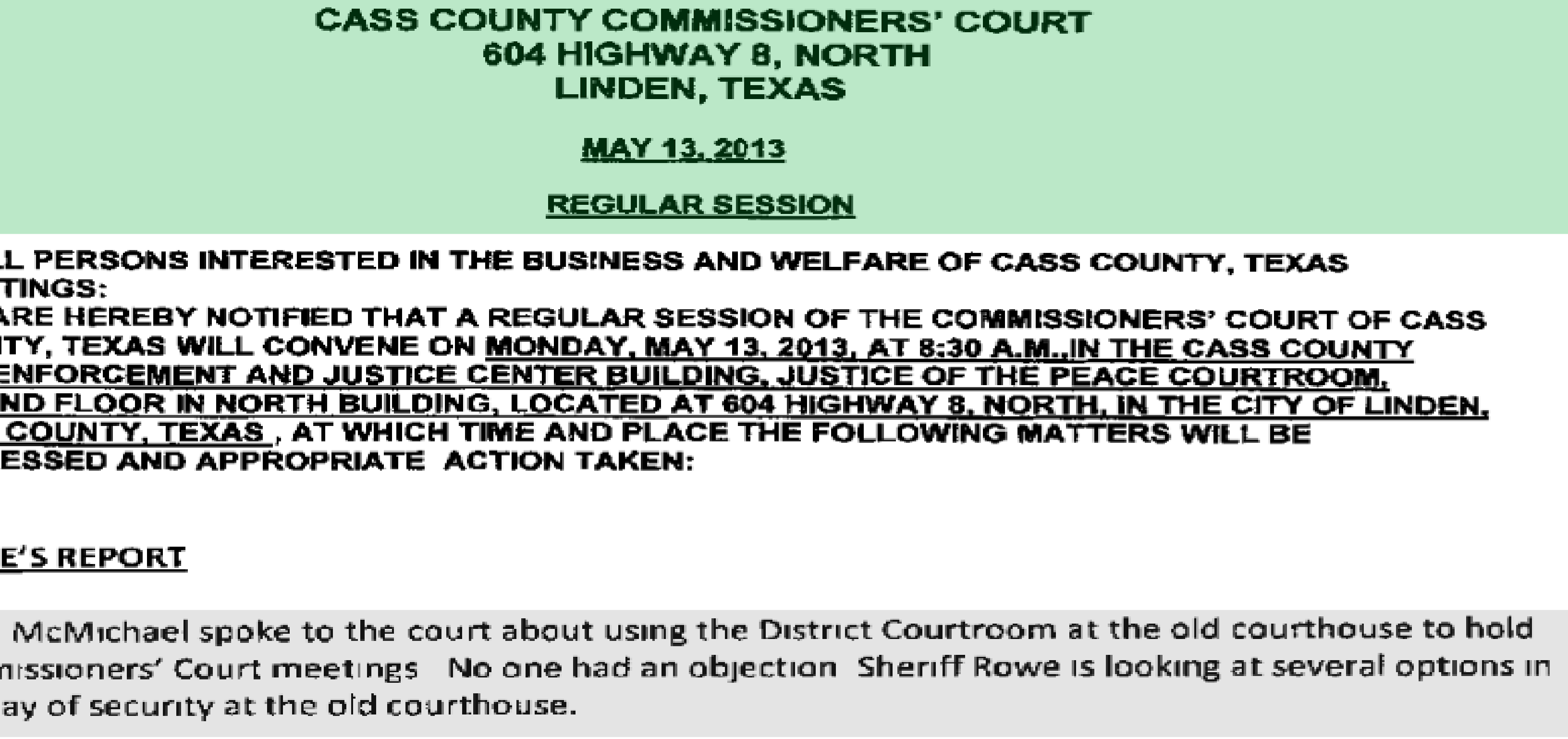
**ADMINISTER OATH OF OFFICE AND DECLARE STATEMENT OF OFFICERS FOR ELECTED OFFICIALS – MATTER OF RECORD**

The oaths of office and statement of officers for the newly elected officials were presented as a matter of record

Commissioner Fitts made the motion to adjourn. Seconded by Commissioner Godwin All voted yes.

Court adjourned at 9 15 a m.

his entry records that the swearing-in of elected officials, the approval of bonds, and the ling of official qualifications were conducted at the Justice Center. The minutes show at these constitutional ceremonies occurred at that location on January 2, 2013. The ecord contains no accompanying entry identifying any designation of the Justice Center s the county seat. Subsequent minutes continue to show county proceedings conducted the same location.



**CASS COUNTY COMMISSIONERS' COURT**
**604 HIGHWAY 8, NORTH**
**LINDEN, TEXAS**

**MAY 13, 2013**

**REGULAR SESSION**

**L PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS**
**TINGS:**
**ARE HEREBY NOTIFIED THAT A REGULAR SESSION OF THE COMMISSIONERS' COURT OF CASS TY, TEXAS WILL CONVENE ON MONDAY, MAY 13, 2013, AT 8:30 A.M., IN THE CASS COUNTY ENFORCEMENT AND JUSTICE CENTER BUILDING, JUSTICE OF THE PEACE COURTROOM, ND FLOOR IN NORTH BUILDING, LOCATED AT 604 HIGHWAY 8, NORTH, IN THE CITY OF LINDEN, COUNTY, TEXAS , AT WHICH TIME AND PLACE THE FOLLOWING MATTERS WILL BE ESSED AND APPROPRIATE ACTION TAKEN:**

**E'S REPORT**

McMichael spoke to the court about using the District Courtroom at the old courthouse to hold missioners' Court meetings No one had an objection Sheriff Rowe is looking at several options in ay of security at the old courthouse.

ntry documents the first instance in which the Commissioners' Court refers to tored courthouse as "the old courthouse." Earlier minutes describe the ng as the courthouse undergoing restoration. Today they refer to the building toric. It is ironically historic for being the oldest 'operating' courthouses in Operating as in functioning and open.

# CASS COUNTY COMMISSIONERS' COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

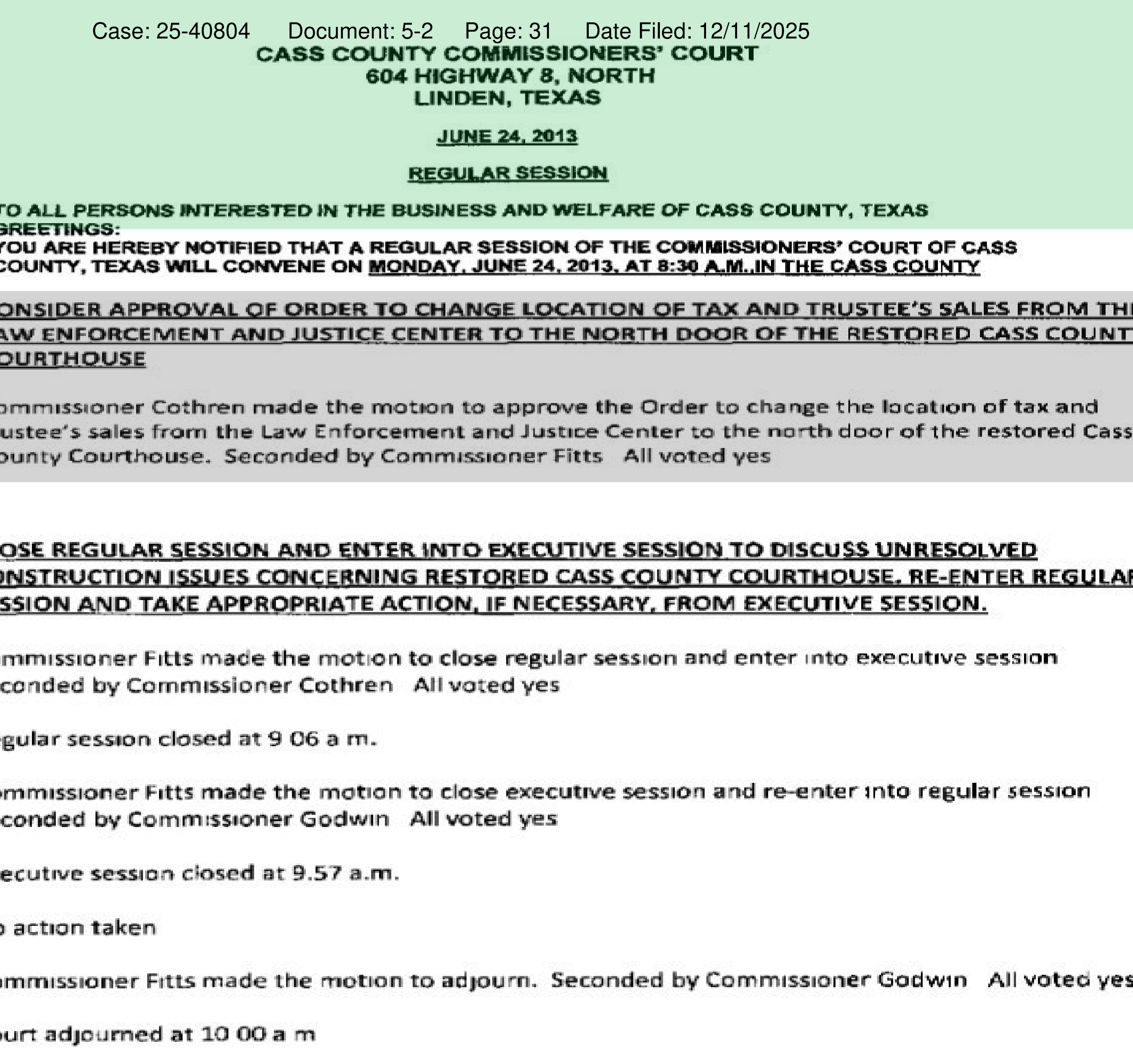
**MAY 28, 2013**

**REGULAR SESSION**

TO ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS GREETINGS:
YOU ARE HEREBY NOTIFIED THAT A REGULAR SESSION OF THE COMMISSIONERS' COURT OF CASS COUNTY, TEXAS WILL CONVENE ON TUESDAY, MAY 28, 2013, AT 8:30 A.M., IN THE CASS COUNTY LAW ENFORCEMENT AND JUSTICE CENTER BUILDING, JUSTICE OF THE PEACE COURTROOM, SECOND FLOOR IN NORTH BUILDING, LOCATED AT 604 HIGHWAY 8, NORTH, IN THE CITY OF LINDEN, CASS COUNTY, TEXAS , AT WHICH TIME AND PLACE THE FOLLOWING MATTERS WILL BE ADDRESSED AND APPROPRIATE ACTION TAKEN:

## JUDGE'S REPORT

The County Clerk's Office is ready to open on May 29 at the historic courthouse



**CASS COUNTY COMMISSIONERS' COURT**
**604 HIGHWAY 8, NORTH**
**LINDEN, TEXAS**

**JUNE 24, 2013**

**REGULAR SESSION**

**TO ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS**
**GREETINGS:**
**YOU ARE HEREBY NOTIFIED THAT A REGULAR SESSION OF THE COMMISSIONERS' COURT OF CASS**
**COUNTY, TEXAS WILL CONVENE ON MONDAY, JUNE 24, 2013, AT 8:30 A.M.,IN THE CASS COUNTY**

**ONSIDER APPROVAL OF ORDER TO CHANGE LOCATION OF TAX AND TRUSTEE'S SALES FROM THE**
**AW ENFORCEMENT AND JUSTICE CENTER TO THE NORTH DOOR OF THE RESTORED CASS COUNT**
**OURTHOUSE**

ommissioner Cothren made the motion to approve the Order to change the location of tax and
ustee's sales from the Law Enforcement and Justice Center to the north door of the restored Cass
ounty Courthouse. Seconded by Commissioner Fitts All voted yes

**OSE REGULAR SESSION AND ENTER INTO EXECUTIVE SESSION TO DISCUSS UNRESOLVED**
**ONSTRUCTION ISSUES CONCERNING RESTORED CASS COUNTY COURTHOUSE. RE-ENTER REGULAR**
**SSION AND TAKE APPROPRIATE ACTION, IF NECESSARY, FROM EXECUTIVE SESSION.**

mmissioner Fitts made the motion to close regular session and enter into executive session
conded by Commissioner Cothren All voted yes

gular session closed at 9 06 a m.

ommissioner Fitts made the motion to close executive session and re-enter into regular session
conded by Commissioner Godwin All voted yes

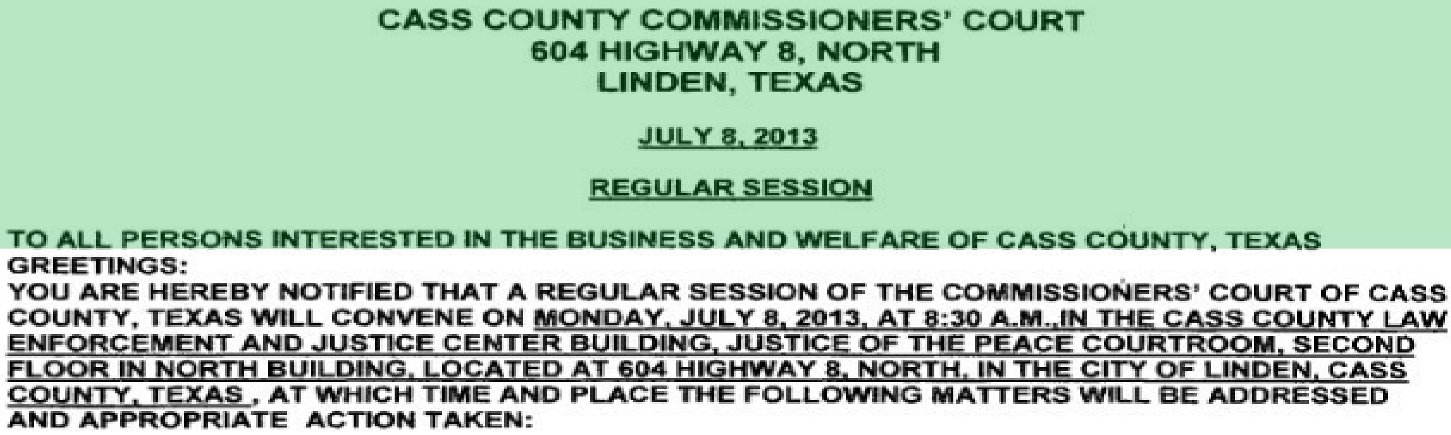
ecutive session closed at 9.57 a.m.

action taken

mmissioner Fitts made the motion to adjourn. Seconded by Commissioner Godwin All voted yes

ourt adjourned at 10 00 a m

g tax and trustee's sales to the north door of the restored courthouse marks the first
use of the courthouse for active county functions after renovation, creating a split
ational locations without any relocation order.

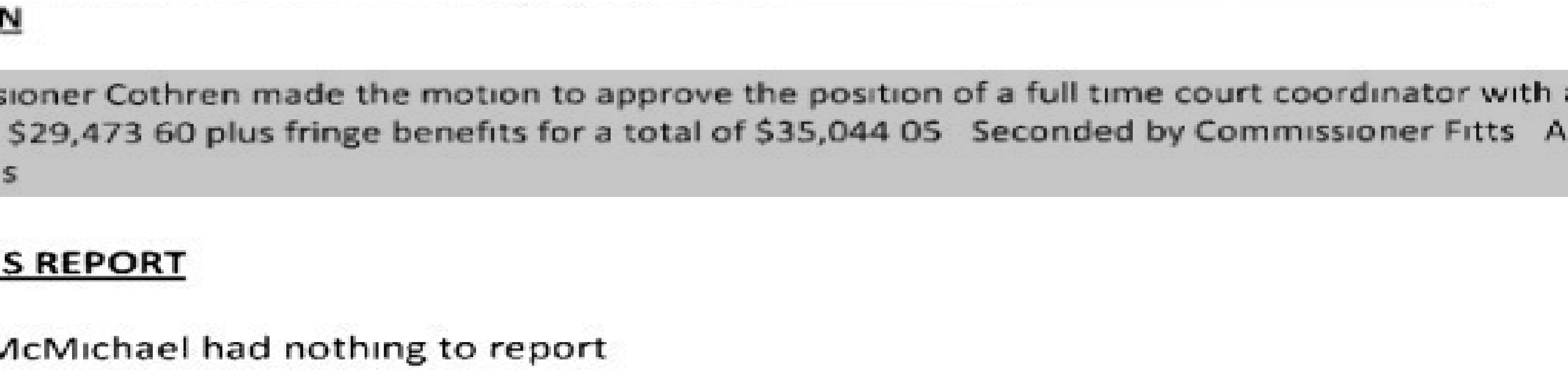


## CASS COUNTY COMMISSIONERS' COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

**JULY 8, 2013**

**REGULAR SESSION**

TO ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS
GREETINGS:
YOU ARE HEREBY NOTIFIED THAT A REGULAR SESSION OF THE COMMISSIONERS' COURT OF CASS COUNTY, TEXAS WILL CONVENE ON MONDAY, JULY 8, 2013, AT 8:30 A.M.,IN THE CASS COUNTY LAW ENFORCEMENT AND JUSTICE CENTER BUILDING, JUSTICE OF THE PEACE COURTROOM, SECOND FLOOR IN NORTH BUILDING, LOCATED AT 604 HIGHWAY 8, NORTH, IN THE CITY OF LINDEN, CASS COUNTY, TEXAS , AT WHICH TIME AND PLACE THE FOLLOWING MATTERS WILL BE ADDRESSED AND APPROPRIATE ACTION TAKEN:



**N**

sioner Cothren made the motion to approve the position of a full time court coordinator with
$29,473 60 plus fringe benefits for a total of $35,044 05   Seconded by Commissioner Fitts   A
s

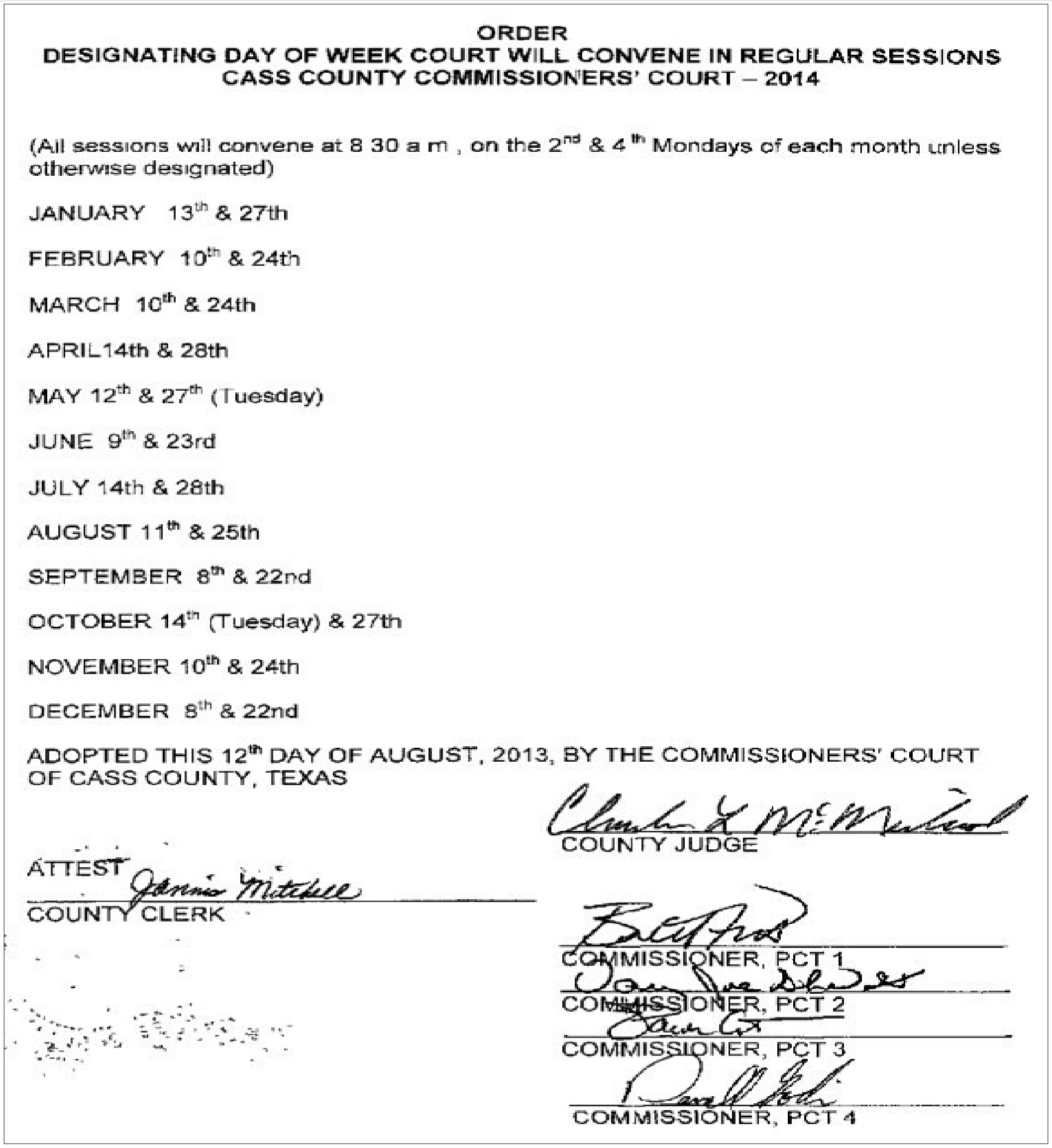
**S REPORT**

McMichael had nothing to report

CASS COUNTY COMMISSIONERS' COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

AUGUST 12, 2013

REGULAR SESSION



ORDER
DESIGNATING DAY OF WEEK COURT WILL CONVENE IN REGULAR SESSIONS
CASS COUNTY COMMISSIONERS' COURT – 2014

(All sessions will convene at 8 30 a m , on the 2nd & 4th Mondays of each month unless otherwise designated)

JANUARY 13th & 27th

FEBRUARY 10th & 24th

MARCH 10th & 24th

APRIL14th & 28th

MAY 12th & 27th (Tuesday)

JUNE 9th & 23rd

JULY 14th & 28th

AUGUST 11th & 25th

SEPTEMBER 8th & 22nd

OCTOBER 14th (Tuesday) & 27th

NOVEMBER 10th & 24th

DECEMBER 8th & 22nd

ADOPTED THIS 12th DAY OF AUGUST, 2013, BY THE COMMISSIONERS' COURT OF CASS COUNTY, TEXAS

Charles L McMichael
COUNTY JUDGE

ATTEST Janice Mitchell
COUNTY CLERK

COMMISSIONER, PCT 1

COMMISSIONER, PCT 2

COMMISSIONER, PCT 3

COMMISSIONER, PCT 4

mmissioners Court has re-issued this calendar-year "designating day of week court will convene"
ery year since 2014.

anent county-seat structure operates without annual re-designation, and for more than 150 years
mmissioners Court met at the Cass County Courthouse under that stable practice.

tinued yearly adoption establishes the *temporary* meeting arrangement that the officer live under
m remains in effect to the present day.

# DISTRICT CLERK – CASS COUNTY, TEXAS
# PRESERVATION AND RESTORATION RECORDS PLAN

## UTIVE SUMMARY

The purpose of this document is to define the restoration and preservation, digital capture,
ge, retention and management of archived records belonging to the District Clerk's Office. Records
ained in the District Clerk's office have been identified to fall under the category of "Preservation
estoration Plan" that will provide reproduction and archiving of such records and assist in
nizing storage space and making records readily available for optimum viewing. It is the intent of
istrict Clerk to follow guidelines set by the Texas State Library and Archives Commissioner for
rvation of such records.

The goal is to reproduce and archive all documents, regardless of type, as efficiently as possible
istrict Clerk's Office is also looking at restoring records, suspending or reducing deterioration of
records, improving the public access to these documents in a manner that reduces the risk of
ioration, and possible reducing or eliminating paper documents

## E

The scope of this document includes the following
- *All District Clerk records filed at the Cass County Law Enforcement and Justice Center
- *Plans to restore and preserve records with significant historical value
- *Future plans are to improve public and governmental access and provide an archive for record
  that have or will be imaged

This document addresses the restoration and preservation needs of the District Clerk Records
ve No other departments are addressed

## ON ONE: RECORDS CURRENTLY IN REPOSITORY

## NTORY

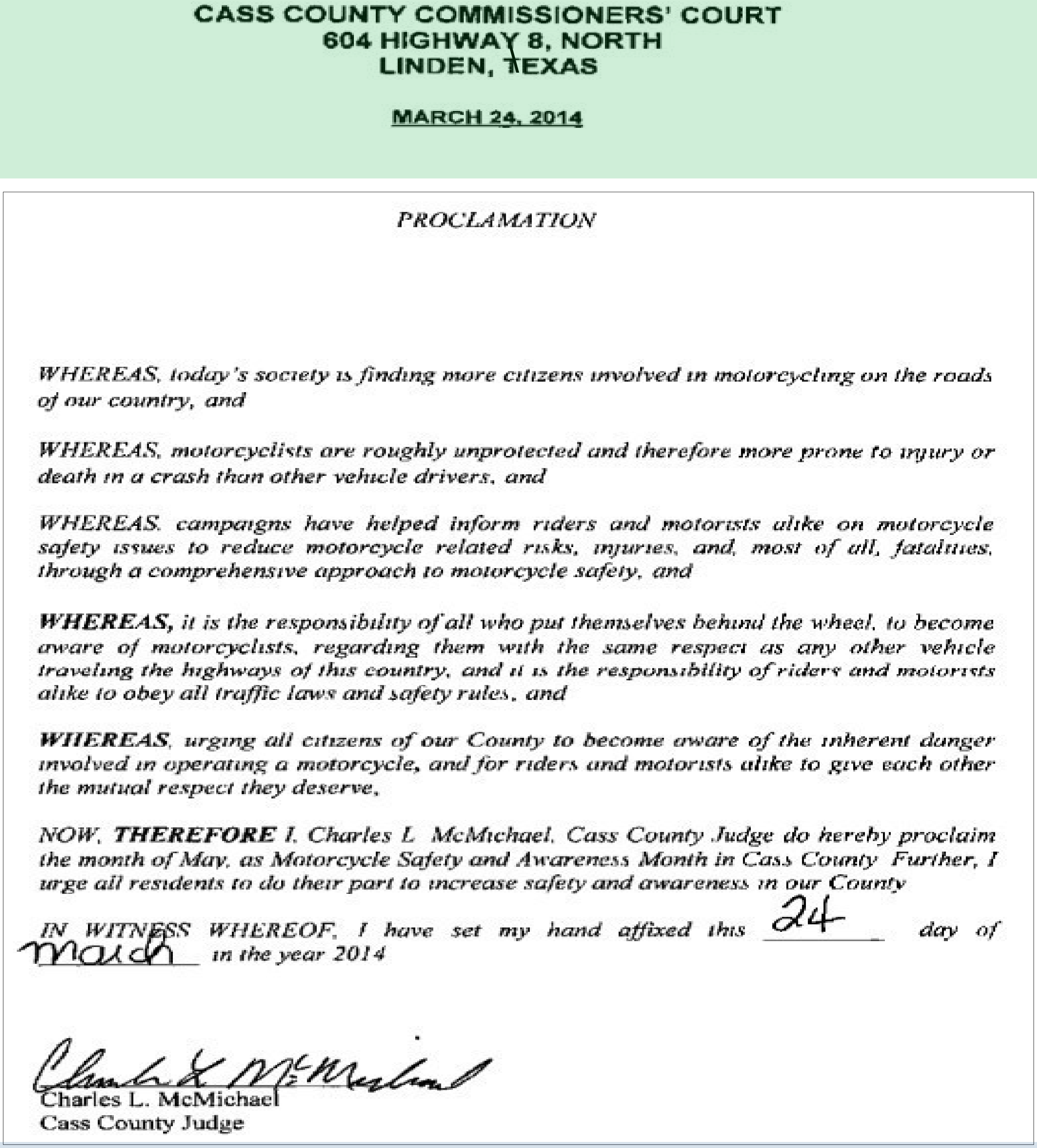
Currently the District Clerk's office holds books and files regarding civil and criminal actions that
on a daily basis

## ON TWO: RESTORATION AND PRESERVATION

## ANENT RECORDS

Records are currently imaged by case file and the District Clerk will inquire into the possibility of
d party vendor housing these images off sight This would assist in archiving the imaged records.
istrict Clerk is also inquiring into the ability to view records on-line at anytime for approved users.
nay be an addition to our main system to avoid not being able to access records if our main system
vn or court needed to be performed off-site. This would be an ongoing service that would be
ble to approved users when the need arose.

daily retrieval from the courthouse



**CASS COUNTY COMMISSIONERS' COURT**
**604 HIGHWAY 8, NORTH**
**LINDEN, TEXAS**

**MARCH 24, 2014**

*PROCLAMATION*

*WHEREAS, today's society is finding more citizens involved in motorcycling on the roads of our country, and*

*WHEREAS, motorcyclists are roughly unprotected and therefore more prone to injury or death in a crash than other vehicle drivers, and*

*WHEREAS, campaigns have helped inform riders and motorists alike on motorcycle safety issues to reduce motorcycle related risks, injuries, and, most of all, fatalities, through a comprehensive approach to motorcycle safety, and*

***WHEREAS,** it is the responsibility of all who put themselves behind the wheel, to become aware of motorcyclists, regarding them with the same respect as any other vehicle traveling the highways of this country, and it is the responsibility of riders and motorists alike to obey all traffic laws and safety rules, and*

***WHEREAS**, urging all citizens of our County to become aware of the inherent danger involved in operating a motorcycle, and for riders and motorists alike to give each other the mutual respect they deserve,*

*NOW, **THEREFORE** I, Charles L McMichael, Cass County Judge do hereby proclaim the month of May, as Motorcycle Safety and Awareness Month in Cass County Further, I urge all residents to do their part to increase safety and awareness in our County*

*IN WITNESS WHEREOF, I have set my hand affixed this* 24 *day of* March *in the year 2014*

Charles L. McMichael
Charles L. McMichael
Cass County Judge

proclamations issued before 2008 included the location of the courthouse because nations were made at the lawful county seat, and the venue itself carried no legal risk. e shift to the Justice Center, the Commissioners Court began omitting all references to n in routine proclamations.

**CASS COUNTY COMMISSIONERS' COURT**
**604 HIGHWAY 8, NORTH**
**LINDEN, TEXAS**

**AUGUST 11, 2014**

**REGULAR SESSION**

## ORDER
## DESIGNATING DAY OF WEEK COURT WILL CONVENE IN REGULAR SESSIONS CASS COUNTY COMMISSIONERS' COURT – 2015

(All sessions will convene at 8 30 a m , on the 2nd & 4th Mondays of each month unless otherwise designated)

JANUARY 12th & 26th

FEBRUARY 9th & 23rd

MARCH 9th & 23rd

APRIL13th & 27th

MAY 11th & 26th (Tuesday)

JUNE 8th & 22nd

JULY 13th & 27th

AUGUST 10th & 24th

SEPTEMBER 14th & 28th

OCTOBER 13th (Tuesday) & 26th

NOVEMBER 9th & 23rd

DECEMBER 14th & 29th (Tuesday)

ADOPTED THIS 11th DAY OF AUGUST, 2014, BY THE COMMISSIONERS' COURT OF CASS COUNTY, TEXAS

COUNTY JUDGE

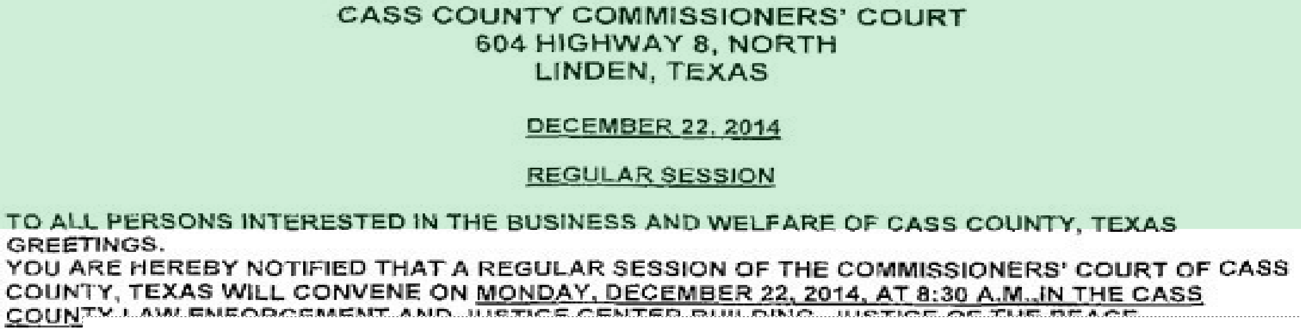
ATTEST
COUNTY CLERK

COMMISSIONER, PCT 1

COMMISSIONER, PCT 2

COMMISSIONER, PCT 3

COMMISSIONER, PCT 4

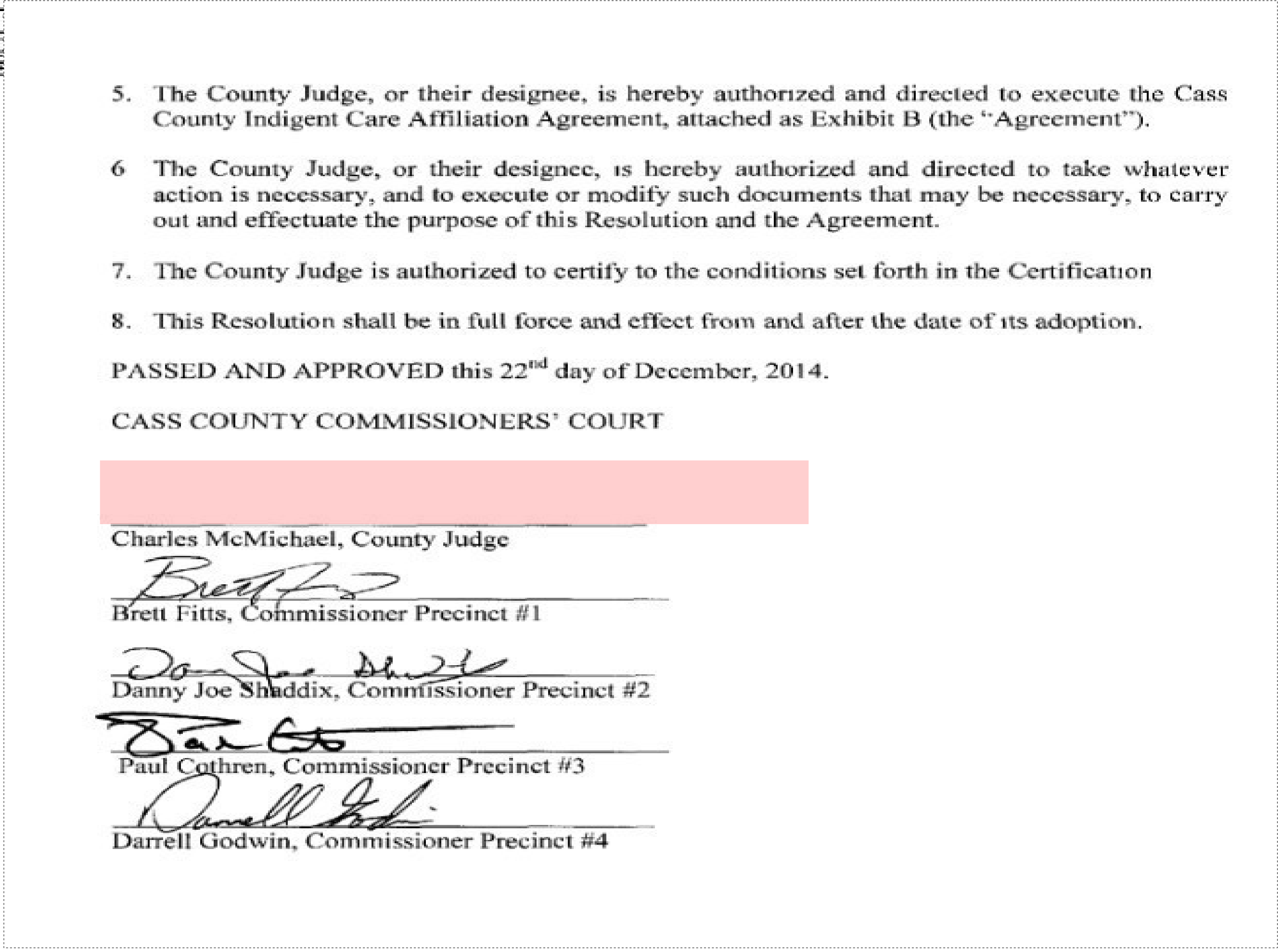


CASS COUNTY COMMISSIONERS' COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

DECEMBER 22, 2014

REGULAR SESSION

TO ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS
GREETINGS.
YOU ARE HEREBY NOTIFIED THAT A REGULAR SESSION OF THE COMMISSIONERS' COURT OF CASS COUNTY, TEXAS WILL CONVENE ON MONDAY, DECEMBER 22, 2014, AT 8:30 A.M., IN THE CASS COUNTY LAW ENFORCEMENT AND JUSTICE CENTER BUILDING, JUSTICE OF THE PEACE
COUR
CITY C
WILL



5. The County Judge, or their designee, is hereby authorized and directed to execute the Cass County Indigent Care Affiliation Agreement, attached as Exhibit B (the "Agreement").

6 The County Judge, or their designee, is hereby authorized and directed to take whatever action is necessary, and to execute or modify such documents that may be necessary, to carry out and effectuate the purpose of this Resolution and the Agreement.

7. The County Judge is authorized to certify to the conditions set forth in the Certification

8. This Resolution shall be in full force and effect from and after the date of its adoption.

PASSED AND APPROVED this 22nd day of December, 2014.

CASS COUNTY COMMISSIONERS' COURT

Charles McMichael, County Judge

Brett Fitts, Commissioner Precinct #1

Danny Joe Shaddix, Commissioner Precinct #2

Paul Cothren, Commissioner Precinct #3

Darrell Godwin, Commissioner Precinct #4

resolution reflects the first instance where the County Judge's signature
k is left unexecuted without any notation of absence. In the following years,
ar omissions appear with increasing frequency, forming part of the broader
rn of irregularities that developed as county operations drifted away from the
tory courthouse.

64540.8

# CASS COUNTY COMMISSIONERS' COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

**February 9, 2015**

L PERSON
TINGS:
ARE HERE
COUNTY,
COUNTY L
TROOM, S
CITY OF LI
ERS WILL

UNTY, TEXAS

IERS' COURT OF
8:30 A.M. IN THE
E OF THE PEACE
AY 8, NORTH, IN
THE FOLLOWING

BRETT FITTS
COMMISSIONER, PRECINCT 1

JON BORSETH
COMMISSIONER, PRECINCT 2

PAUL COTHREN
COMMISSIONER, PRECINCT 3

DARRELL GODWIN
COMMISSIONER, PRECINCT 4

ATTEST

JAMIE A. O'RAND
CASS COUNTY CLERK

PAUL COTHREN
COMMISSIONER, PRECINCT 3

DARRELL GODWIN
COMMISSIONER, PRECINCT 4

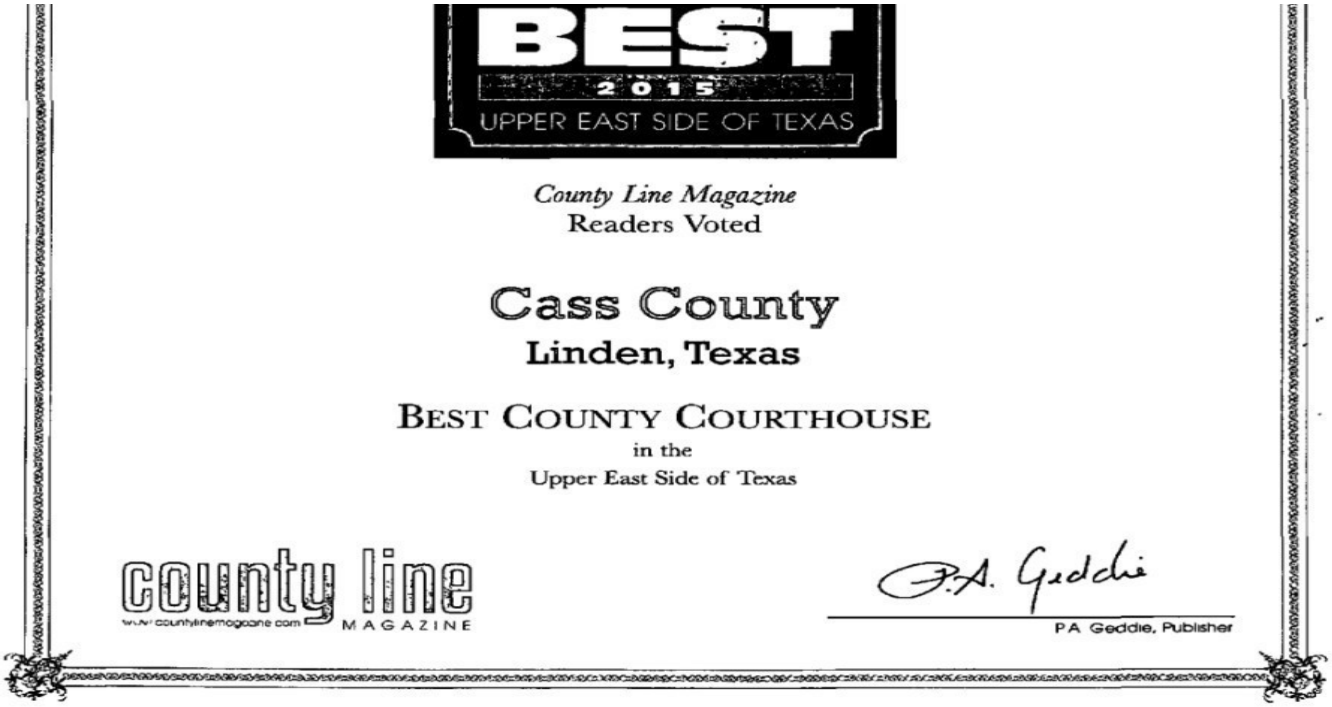
ATTEST

JAMIE A. O'RAND
CASS COUNTY CLERK

# COMMISSIONER'S COURT MINUTES
## May 24, 2016
## REGULAR SESSION

REMEMBERED, that on this 24th day of May, 2016, the HONORABLE COMMISSIONER'S of Cass County, Texas met in REGULAR SESSION at the Law Enforcement and Justice Center County in Linden, Texas after due notice had been posted on the 20th day of May, 2016, with ONORABLE JUDGE BECKY WILBANKS present and presiding and with the followin issioners being present

| | |
|---|---|
| Brett Fitts | Commissioner Pct 1 |
| Jon Borseth | Commissioner Pct 2 |
| Paul Cothren | Commissioner Pct 3 |
| Darrell Godwin | Commissioner Pct 4 |



BEST
2015
UPPER EAST SIDE OF TEXAS

*County Line Magazine*
Readers Voted

**Cass County**
**Linden, Texas**

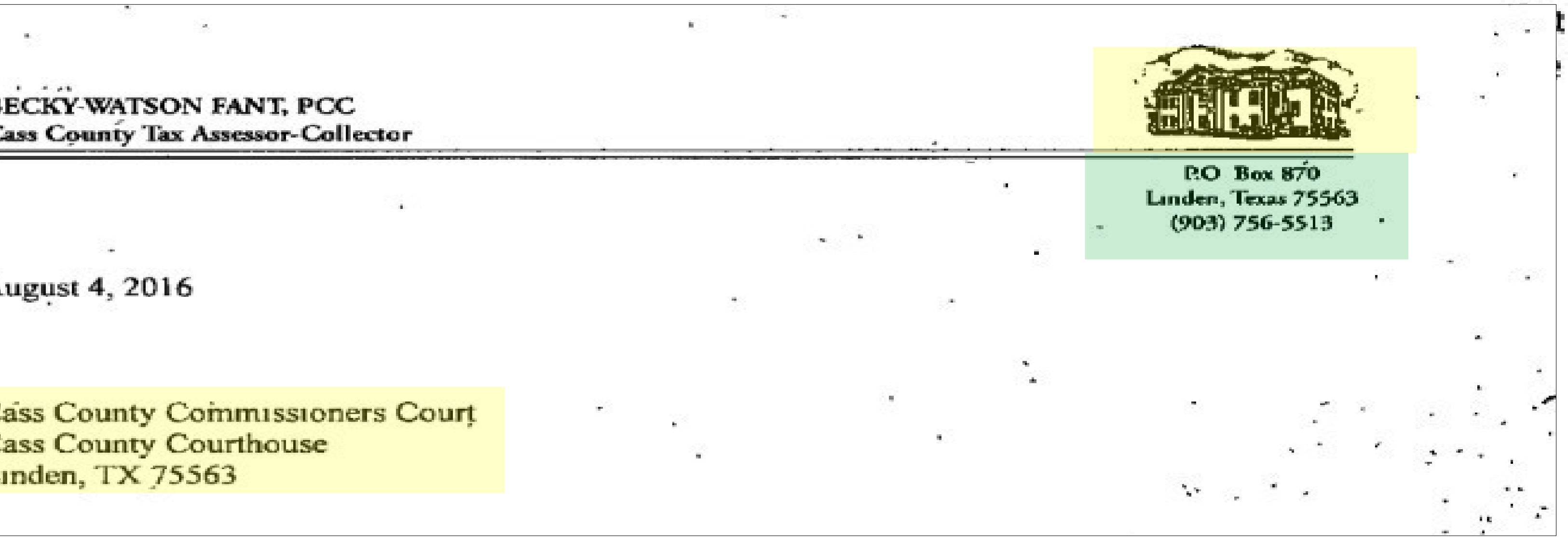
BEST COUNTY COURTHOUSE
in the
Upper East Side of Texas

county line
www.countylinemagazine.com
MAGAZINE

P.A. Geddie
PA Geddie, Publisher

# COMMISSIONERS COURT MINUTES
## August 23 2016
## REGULAR SESSION

**Item 2** On this 23rd day of August, 2016, certification of anticipated collections rate for FY 2015 was presented by Cass County Tax-Assessor Collector Becky Fant as a matter of record.



ECKY-WATSON FANT, PCC
ass County Tax Assessor-Collector

P.O Box 870
Linden, Texas 75563
(903) 756-5513

ugust 4, 2016

ass County Commissioners Court
ass County Courthouse
inden, TX 75563

APPROVED THIS THE 13 DAY OF September, 2016

BECKY WILBANKS
COUNTY JUDGE

BRETT FITTS
COMMISSIONER, PRECINCT 1

JON BORSETH
COMMISSIONER, PRECINCT 2

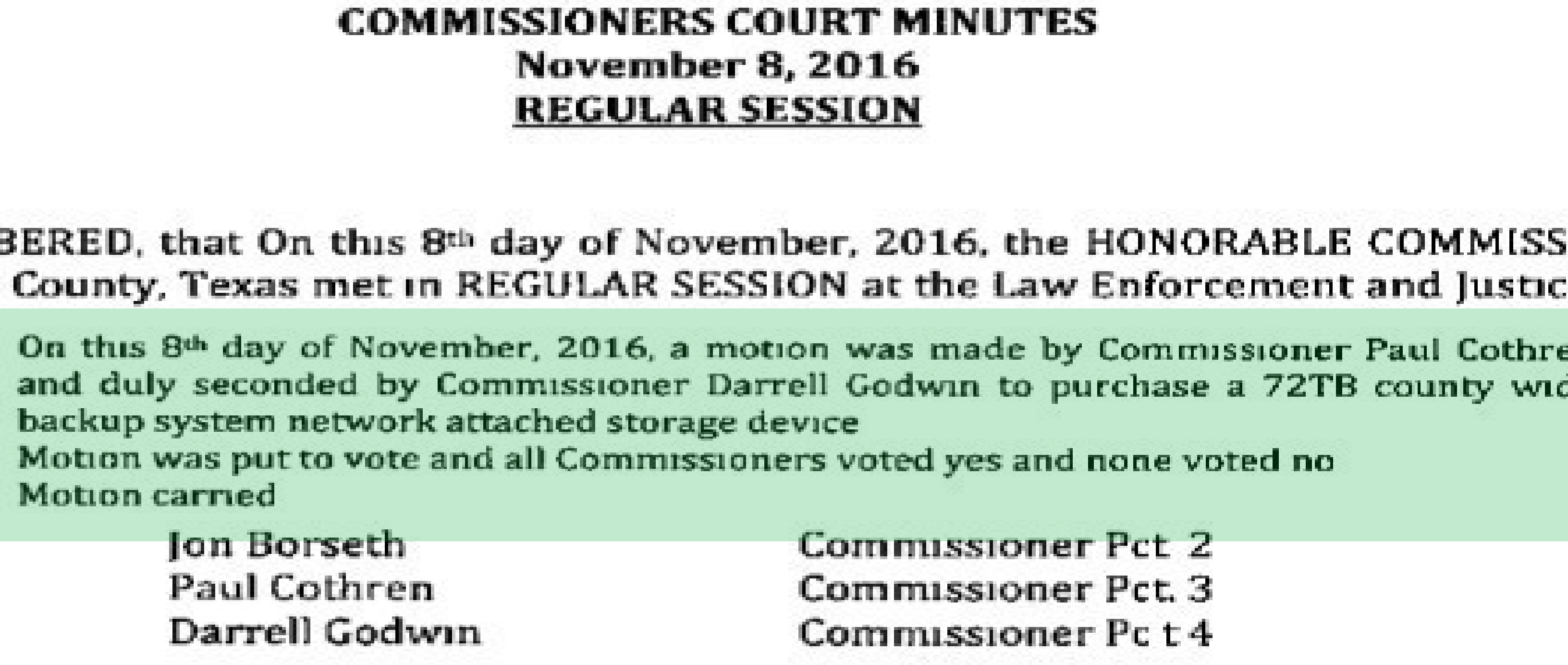
PAUL COTHREN
COMMISSIONER, PRECINCT 3

DARRELL GODWIN
COMMISSIONER, PRECINCT 4

ATTEST

Jamie A. O'Rand
JAMIE A. O'RAND
CASS COUNTY CLERK

the county's work happens at the Justice Center. When an action would tie the back to the courthouse, the County Judge often does not sign, and over time comes a steady pattern in the minutes.



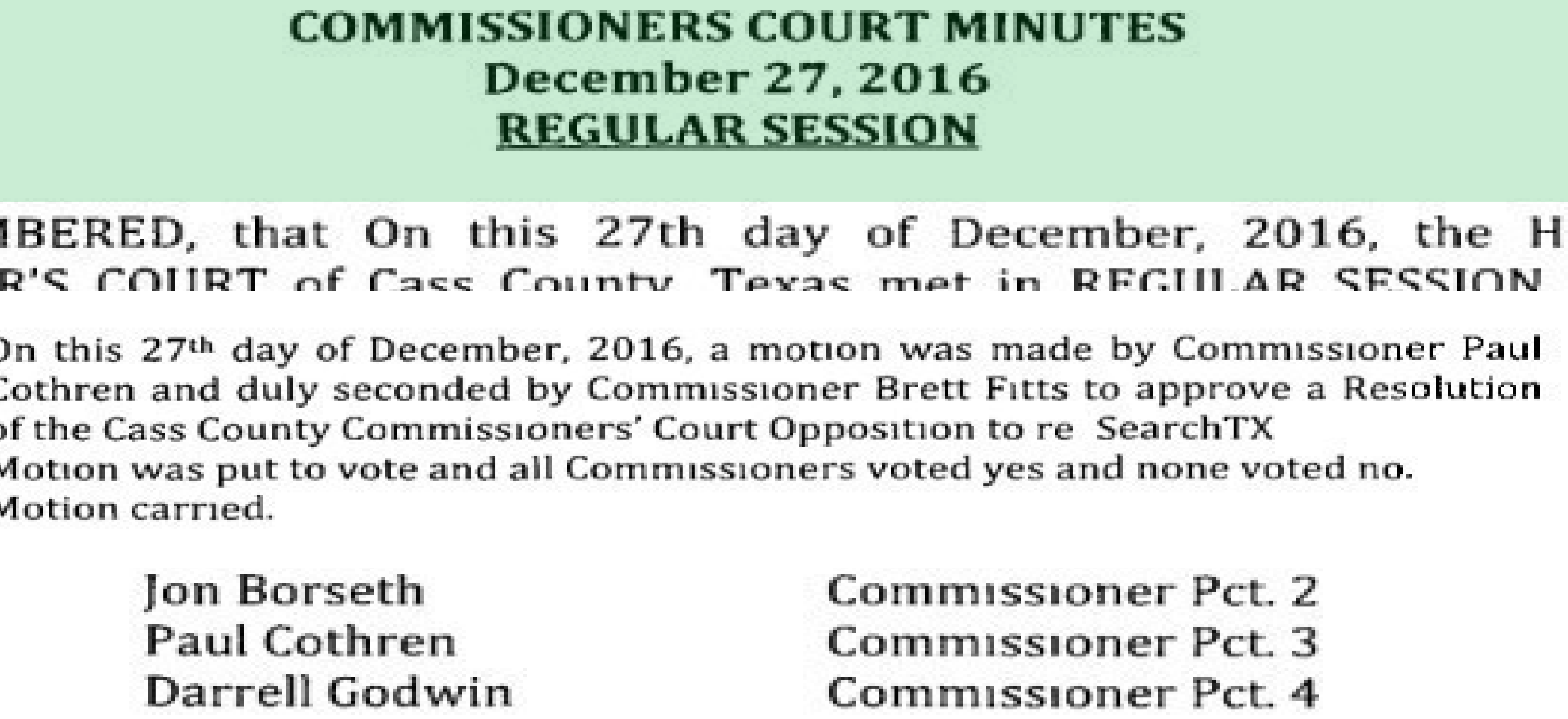
# COMMISSIONERS COURT MINUTES
## November 8, 2016
## REGULAR SESSION

BERED, that On this 8th day of November, 2016, the HONORABLE COMMISS
County, Texas met in REGULAR SESSION at the Law Enforcement and Justic

On this 8th day of November, 2016, a motion was made by Commissioner Paul Cothre
and duly seconded by Commissioner Darrell Godwin to purchase a 72TB county wid
backup system network attached storage device
Motion was put to vote and all Commissioners voted yes and none voted no
Motion carried

| | |
|---|---|
| Jon Borseth | Commissioner Pct 2 |
| Paul Cothren | Commissioner Pct. 3 |
| Darrell Godwin | Commissioner Pc t 4 |

ntry shows the County approving a seventy-two terabyte backup system for storing
records on the Justice Center network. The vote places judicial, financial, and
mental records in a digital location away from the courthouse, and the record reflects the
hen large portions of the county's files began moving to the secondary site.



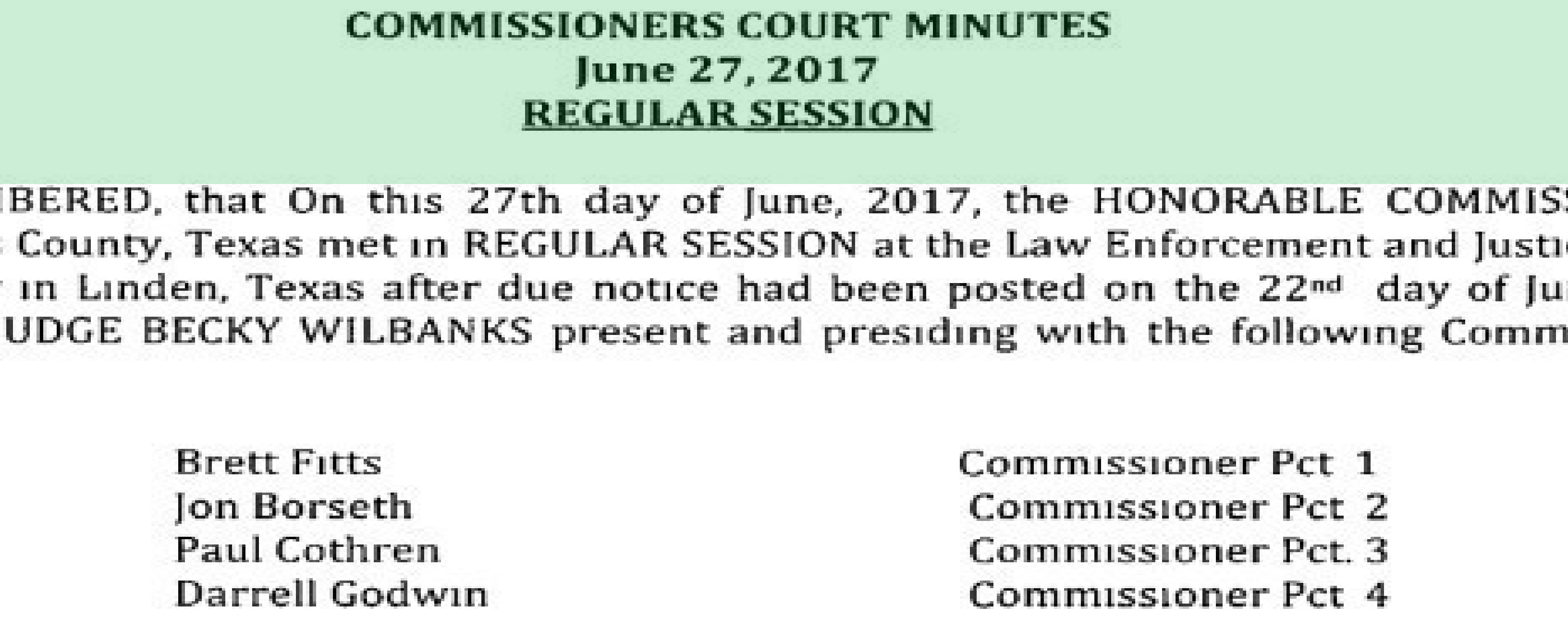
# COMMISSIONERS COURT MINUTES
## December 27, 2016
## REGULAR SESSION

MBERED, that On this 27th day of December, 2016, the H
R'S COURT of Cass County, Texas met in REGULAR SESSION

On this 27th day of December, 2016, a motion was made by Commissioner Paul Cothren and duly seconded by Commissioner Brett Fitts to approve a Resolution of the Cass County Commissioners' Court Opposition to re SearchTX
Motion was put to vote and all Commissioners voted yes and none voted no.
Motion carried.

| | |
|---|---|
| Jon Borseth | Commissioner Pct. 2 |
| Paul Cothren | Commissioner Pct. 3 |
| Darrell Godwin | Commissioner Pct. 4 |

try shows the Commissioners Court voting against participation in SearchTX, a system es courthouse records and requires counties to upload their documents for state-level The vote keeps Cass County's records inside the Justice Center network and the -two-terabyte backup system approved earlier in the year.

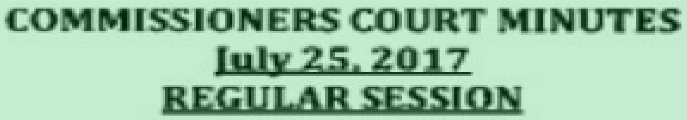


# COMMISSIONERS COURT MINUTES
## June 27, 2017
## REGULAR SESSION

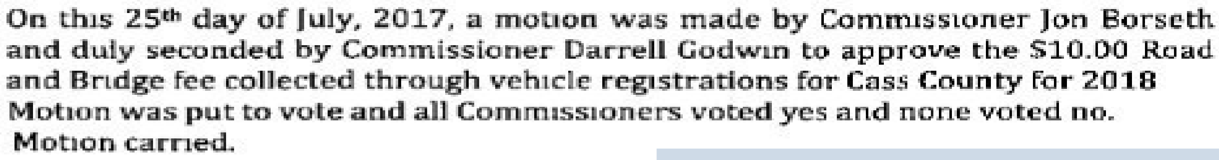
IBERED, that On this 27th day of June, 2017, the HONORABLE COMMIS
County, Texas met in REGULAR SESSION at the Law Enforcement and Justi
in Linden, Texas after due notice had been posted on the 22nd day of Ju
UDGE BECKY WILBANKS present and presiding with the following Comm

| | |
|---|---|
| Brett Fitts | Commissioner Pct 1 |
| Jon Borseth | Commissioner Pct 2 |
| Paul Cothren | Commissioner Pct. 3 |
| Darrell Godwin | Commissioner Pct 4 |

le Technologies is approved as an expense for the County Clerk’s archive work, and the service
es a digital profile that lists 100 East Houston Street as the point of origin for county records.
profile supplies a continuous digital location for filings and timestamps at the same time the
nty is conducting its daily operations at the Justice Center.

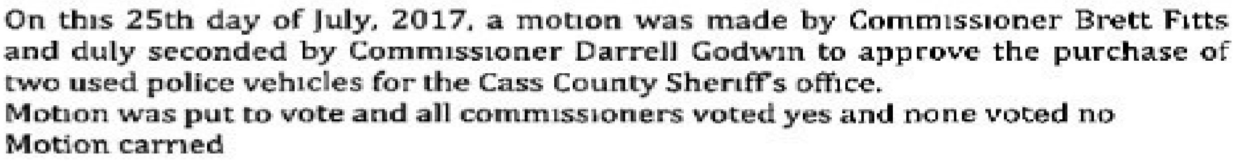


# COMMISSIONERS COURT MINUTES
## July 25, 2017
## REGULAR SESSION



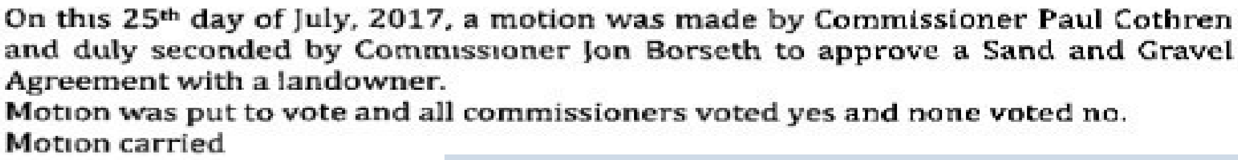
On this 25th day of July, 2017, a motion was made by Commissioner Jon Borseth and duly seconded by Commissioner Darrell Godwin to approve the $10.00 Road and Bridge fee collected through vehicle registrations for Cass County for 2018
Motion was put to vote and all Commissioners voted yes and none voted no.
Motion carried.

*They describe the act as a routine "motion to approve a fee," yet in substance they are exercising the county's taxing power, which legally triggers strict constitutional and statutory requirements.*



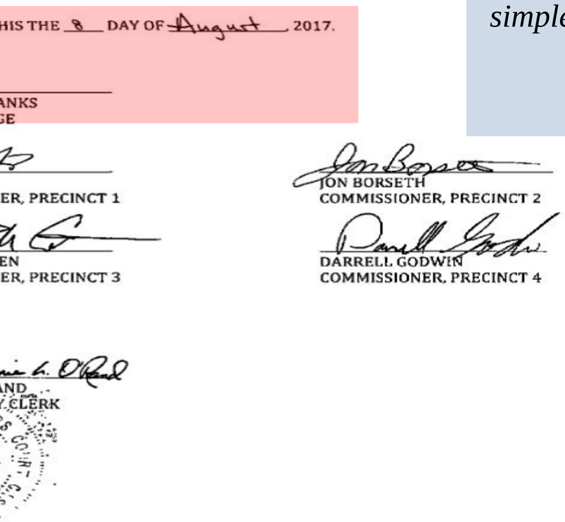
On this 25th day of July, 2017, a motion was made by Commissioner Brett Fitts and duly seconded by Commissioner Darrell Godwin to approve the purchase of two used police vehicles for the Cass County Sheriff's office.
Motion was put to vote and all commissioners voted yes and none voted no
Motion carried

*They portray this as a simple purchase, but they are actually exercising the county's law-enforcement funding and oversight power, which requires lawful authority, lawful venue, and compliance with statutory budget procedures...more*



On this 25th day of July, 2017, a motion was made by Commissioner Paul Cothren and duly seconded by Commissioner Jon Borseth to approve a Sand and Gravel Agreement with a landowner.
Motion was put to vote and all commissioners voted yes and none voted no.
Motion carried

*Item Eight disguises a land-use and infrastructure authority action as a simple contract approval, avoiding the statutory requirements that govern county extraction agreements and the need for a lawfully constituted Commissioners Court acting at a lawful county seat.*



HIS THE 8 DAY OF August 2017.

ANKS
GE

ER, PRECINCT 1

JON BORSETH
COMMISSIONER, PRECINCT 2

EN
ER, PRECINCT 3

DARRELL GODWIN
COMMISSIONER, PRECINCT 4

AND
CLERK

These entries show the Commissioners Court approving fees, vehicle purchases, and a land-use agreement during a session held at the Justice Center. The record treats each action as routine business even though the meeting location differs from the courthouse listed in statutory references and digital profiles.

I - CONCLUSION

ord from 2012 through 2017 shows county meetings, administrative actions, record decisions, and daily operations occurring at the Justice Center. The courthouse continues ar in state references and digital profiles, while routine governance takes place at the ry site.

inutes reflect changes in language, the use of administrative labels, and multiple nts signed by commissioners without a signature from the County Judge. The digital work and the seventy-two-terabyte backup system place county records inside the Justice network, and filings continue to list 100 East Houston Street as the point of origin.

uments in this period show two locations operating at the same time: the courthouse as rence point in state systems, and the Justice Center as the place where the Commissioners onducts its work.

# PART 3

# 2023 -2025

# SIX YEARS LATER

# CASS COUNTY COMMISSIONERS' COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

## JANUARY 24, 2023
## REGULAR SESSION

**SIDER AND TAKE APPROPRIATE ACTION REGARDING APPROVAL OF BONDS FOR EMIT RANDY KENNEDY
ONSTABLE PCT 2 AND EVELYN CHARLESTON AND CINDY WATERS AS DEPUTY COUNTY CLERKS**

missioner Fitts made the motion to approve the minutes the bond of Emit Randy Kennedy as Constable
, and the bonds of Evelyn Charleston and Cindy Waters as Deputy County Clerks. Seconded by
missioner Godwin. All voted yes.

**CATED AT 604 HIGHWAY 8, NORTH, IN THE CITY OF LINDEN, CASS COUNTY, TEXAS,
WHICH TIME AND [illegible] AND
PROPRIATE ACTION TAKEN:**

*Six years later, the rhetoric shifts into a new form. "Consider and Take Appropriate Action" reframes a judicial act as routine business. The approval of officer and deputy clerk bonds is a Judicial Recognition Act, not a motion.*

**SIDER AND TAKE APPROPRIATE ACTION REGARDING APPROVAL OF A RESOLUTION FOR SUBMISSION
GRANT APPLICATION FOR THE "HAND-HELD RADIO REPLACEMENT PROJECT" BY THE CASS COUNTY
IFF'S OFFICE**

missioner Cothren made the motion to approve a resolution for submission of a grant application for the
d-Held Radio Replacement Project" by the Cass County Sheriff's Office. Seconded by Commissioner
vin. All voted yes.

*The Commissioners Court submits the grant on behalf of the Sheriff, and the process uses 100 East Houston as the county's established point of identity. The request passes through the courthouse designation because that address carries the county's governmental origin.*

OVED THIS THE 20 DAY OF Jan, 2023.

AVIS RANSOM
TY JUDGE

FITTS
MISSIONER, PRECINCT 1

KEVIN YOUNG
COMMISSIONER, PRECINCT 2

COTHREN
MISSIONER, PRECINCT 3

Darrell Godwin
DARRELL GODWIN
COMMISSIONER, PRECINCT 4

:

L. VARNELL
COUNTY CLERK

# CASS COUNTY COMMISSIONERS' COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

## FEBRUARY 14, 2023
## REGULAR SESSION

**AMENDED ON THIS THE 14TH DAY OF FEBRUARY, 2023.**
**(Amended Article III to add subsection A and B)**
**(Amended Article IV to reflect reasonable accommodations regarding interpreters)**
**(Amended/inserted new Article V)**
**(Amended/inserted new Article VII with subsections A, B, C, D, and E)**

**VIII.** Special Rules for the Press and Media:

A. No media personnel or equipment, including lights, cameras or microphones will be located on the Commissioners' Court bench nor closer than five feet (5') in from of the Commissioners' Court bench.

B. Reporters and media technicians are required to structure their movements, equipment set-up and take-down and adjustments, etc. in such a manner as to not disrupt the Commissioners' Court deliberations or the ability of the public to see, hear and participate in the proceedings.

C. Interviews shall not be conducted inside the Commissioners' Courtroom during the time the Court is in session.

D. Media interviews which are conducted outside the Commissioners' Courtroom should be conducted in such a manner that the interview does not disturb, impede or disrupt the proceedings of and Regular, Special, Emergency and/or Executive Session Meeting of the Court.

**IX.** The Sheriff of Cass County, Texas, or his designated deputy, shall serve as the Bailiff at all Regular, Special and Emergency Meetings of the Court. However, in the event of the absence of the Sheriff, or in the event that there exists a conflict of interest between the Sheriff, any member of the Sheriff's Department, and the Commissioners' Court, or in the event of an Executive Session of the Court in which the Sheriff is not an authorized participant, then in such event, the Court shall appoint such other commissioned peace officers to serve as Bailiff as may be necessary.

**X.** From time to time, the Commissioners' Court shall conduct town meetings and public hearings. These rules of procedure, conduct and decorum shall also apply to such town meetings and public hearings, however, the Commissioners' Court may adopt such additional and supplemental rules for such meetings as may be necessary and appropriate to conduct such meetings in an orderly, efficient and proper manner.

**XI.** These Rules of Procedure, Conduct and Decorum at Meetings of the Cass County Commissioners' Court shall be effective immediately upon adoption by the Court and shall remain in full force and effect until amended or repealed by a majority vote of the Commissioners' Court. These Rules may be temporarily suspended by majority vote of the Court in a manner that does not conflict with the Texas Open Meetings Act.

s in this document outline requirements commonly associated with District Court proceedings,
g equipment control, media restrictions, sheriff supervision, bailiff duties, decorum standards, and
nt instructions. These elements appear in the minutes as the operating procedures for the Justice Center
ed for Commissioners Court sessions.

April 6, 2023
WORKSHOP

TO ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS, GREETINGS:

YOU ARE HEREBY NOTIFIED THAT A WORKSHOP WILL CONVENE ON THURSDAY, APRIL 6, 2023 AT 8:30 A.M. IN THE **COUNTY JUDGE'S OFFICE** LOCATED ON THE FIRST FLOOR OF THE CASS COUNTY LAW ENFORCEMENT AND JUSTICE CENTER BUILDING, IN THE CITY OF LINDEN, TEXAS, COUNTY OF CASS.

APPROVED THIS THE 25 DAY OF April, 2023.

R. TRAVIS RANSOM
COUNTY JUDGE

BRETT FITTS
COMMISSIONER, PRECINCT 1

KEVIN YOUNG
COMMISSIONER, PRECINCT 2

PAUL COTHREN
COMMISSIONER, PRECINCT 3

DARRELL GODWIN
COMMISSIONER, PRECINCT 4

Attest: Amy L Varnell
AMY L. VARNELL
CASS COUNTY CLERK

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**CASS COUNTY COMMISSIONERS' COURT**
**604 HIGHWAY 8, NORTH**
**LINDEN, TEXAS**

**APRIL 11, 2023**
**REGULAR SESSION**

FILED FOR RE
2023 APR -6 P

APPROVED THIS THE 25 DAY OF April, 2023.

R. TRAVIS RANSOM
COUNTY JUDGE

BRETT FITTS
COMMISSIONER, PRECINCT 1

KEVIN YOUNG
COMMISSIONER, PRECINCT 2

PAUL COTHREN
COMMISSIONER, PRECINCT 3

DARRELL GODWIN
COMMISSIONER, PRECINCT 4

Attest: Amy L Varnell
AMY L. VARNELL
CASS COUNTY CLERK

June 1, 2023
WORKSHOP

TO ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS,
GREETINGS:

YOU ARE HEREBY NOTIFIED THAT A WORKSHOP WILL CONVENE ON THURSDAY, JUNE 1, 2023 AT 8:30 A.M. IN THE **COUNTY JUDGE'S OFFICE** LOCATED ON THE FIRST FLOOR OF THE CASS COUNTY LAW ENFORCEMENT AND JUSTICE CENTER BUILDING, IN THE CITY OF LINDEN, TEXAS, COUNTY OF CASS.

## COURT ANNOUCEMENTS

Commissioner Young gave an update on one of his employees' children who were involved in an automobile accident.

Commissioner Cothren stated the deadline to get milling on the river is end of July. Commissioner Cothren also stated the entire $14,000 in grant funds won't be spent on the tire disposal program and suggested the remainder of funds be spent for trash disposal from the dumpsters at the county barns.

Auditor Jim Loomis he will have budget information ready to present at the upcoming budget workshops.

Judge Ransom presented the restored Preemption Certificate record book that was restored.

APPROVED THIS THE 20 DAY OF June, 2023.

R. TRAVIS RANSOM
COUNTY JUDGE

BRETT FITTS
COMMISSIONER, PRECINCT 1

KEVIN YOUNG
COMMISSIONER, PRECINCT 2

PAUL COTHREN
COMMISSIONER, PRECINCT 3

DARRELL GODWIN
COMMISSIONER, PRECINCT 4

Attest:
Amy L Varnell
AMY L. VARNELL
CASS COUNTY CLERK

9037565732 CASS COUNTY JUDGE 08:19:09 a.m. 06-02-2023 1 /3

# CASS COUNTY COMMISSIONERS' COURT

604 HIGHWAY 8, NORTH
LINDEN, TEXAS

## JUNE 6, 2023
## REGULAR SESSION AMENDED

FILED FOR RECORD
2023 JUN -2 AM 8:31
AMY L. VARNELL
CASS COUNTY CLERK

---

9037565732 CASS COUNTY JUDGE 08:19:29 a.m. 06-02-2023 3 /3

I certify that the above notice of meeting is a true and correct copy of said notice, and that same was posted on the bulletin board and on the north door of the North Building of the Cass County Law Enforcement and Justice Center Building, a place readily accessible to the general public at all times, on or before Friday, June 2, 2023 in accordance with Texas Government Code Chapter 551.

Posted: June 2, 2023

By: Karen Brown

APPROVED THIS THE 20 DAY OF June, 2023.

R. TRAVIS RANSOM
COUNTY JUDGE

BRETT FITTS
COMMISSIONER, PRECINCT 1

KEVIN YOUNG
COMMISSIONER, PRECINCT 2

PAUL COTHREN
COMMISSIONER, PRECINCT 3

Darrell Godwin
DARRELL GODWIN
COMMISSIONER, PRECINCT 4

Attest:
Amy L Varnell
AMY L. VARNELL
CASS COUNTY CLERK

**CASS COUNTY COMMISSIONERS' COURT**
**604 HIGHWAY 8, NORTH**
**LINDEN, TEXAS**

**JUNE 20, 2023**
**REGULAR SESSION**

LED FOR RECORD
JUN 16 A 8:22
CASS COUNTY CLERK

CASS COUNTY JUDGE 08:25:31 a.m. 06-16-2023 2 /3

**E OF CASS**

**OF THE**
**NVENE ON**
**ORCEMENT**
**URTROOM,**
**NORTH, IN**
**PLACE THE**
**TE ACTION**

5. Matter of Record: Letter of recommendation from Brandon S. Wood, Executive Director of Texas Commission on Jail Standards.

## REGULAR AGENDA

1. Consider and take appropriate action regarding the Application to Dig in County R.O.W. on CR 2342 in Marietta, TX.
2. Consider and take appropriate action regarding approval of the Disaster Declaration signed by Judge Ransom on June 15, 2023.
3. Consider and take appropriate action regarding selecting a plan for the TAC HEBP 2023-2024 renewal. Presented by Treasurer Melissa Shores.
4. Consider and take appropriate action regarding hiring an Assistant Veteran Service Officer funded through the Texas Veterans commission grant.
5. Matter of Record: Auditor's report for May 2023; Consider and take appropriate action regarding approval of the County Auditor's financial report and approval of expenses. Presented by Auditor Jim Loomis.
6. Potential Executive Session pursuant to Government Code 551.071 and 551.101; consultation with attorney.
7. Exit Executive Session pursuant to Government Code 551.102.
8. Court Announcements

**. ADJOURNMENT**

**: Cass County Commissioners Court reserves the right to conduct closed meetings on enda item in accordance with 551.071 – 551.076 of the Texas Government Code.**

**Respectfully,**

R. Travis Ransom

**R. TRAVIS RANSOM**
**CASS COUNTY JUDGE**

APPROVED THIS THE 11 DAY OF July, 2023.

R. TRAVIS RANSOM
COUNTY JUDGE

BRETT PITTS
COMMISSIONER, PRECINCT 1

KEVIN YOUNG
COMMISSIONER, PRECINCT 2

PAUL COTHREN
COMMISSIONER, PRECINCT 3

Darrell Godwin

DARRELL GODWIN
COMMISSIONER, PRECINCT 4

Attest:

Amy L. Varnell

AMY L. VARNELL
CASS COUNTY CLERK

**, 2023**

**ISSIONERS' COURT WORKSHOP**

issioners' Court of Cass County held a workshop on July 6, 2023 at 8:30 a.m. with the following court
ers present: County Judge Travis Ransom, Commissioner Precinct 1 Brett Fitts, Commissioner Precinct 2
oung, Commissioner Precinct 3 Paul Cothren and Commissioner Precinct 4 Darrell Godwin.

**ION AGENDA**

**S REPUBLICAN PARTY ELECTION JUDGES FOR 2023**

**S THE REGIONAL PUBLIC DEFENDER FOR CAPITAL CASES**

**S FY 2023-2024 BUDGET**

**ANNOUCEMENTS**

t announcements.

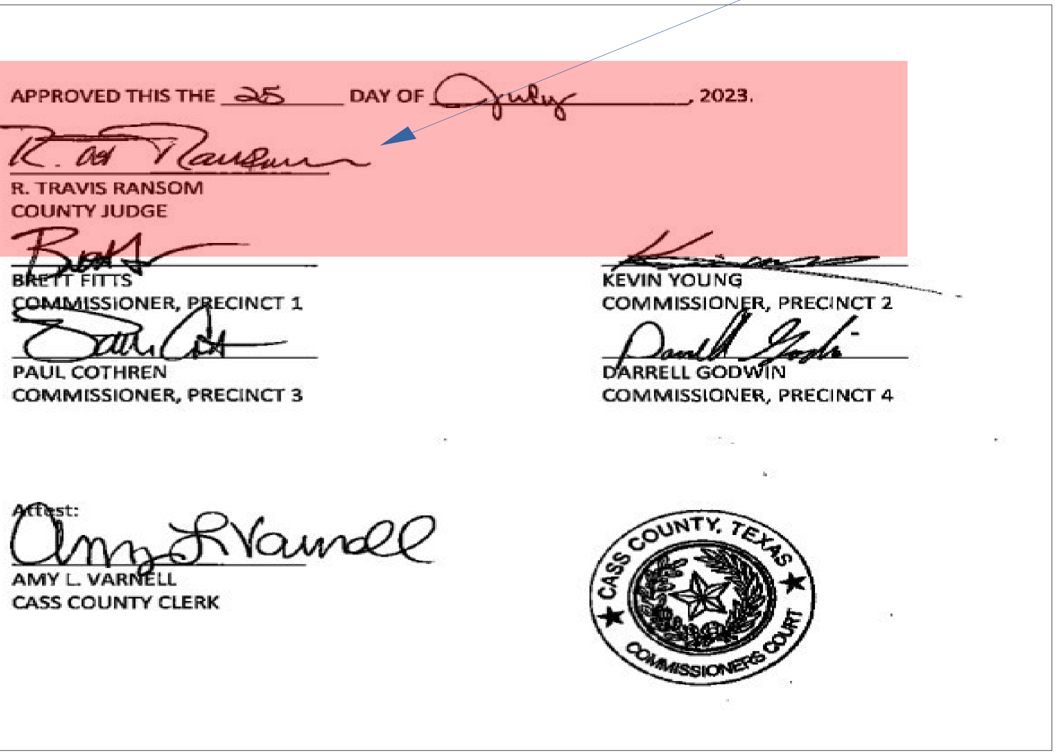
**RNMENT**

rkshop adjourned at 12:20 p.m.

Discussion meetings are safe and receive signatures.

Judicial-duty meetings are unsafe and remain unsigned.

Signatures appear only on minutes that do not require venue.



APPROVED THIS THE 25 DAY OF July, 2023.

R. TRAVIS RANSOM
COUNTY JUDGE

BRETT FITTS
COMMISSIONER, PRECINCT 1

KEVIN YOUNG
COMMISSIONER, PRECINCT 2

PAUL COTHREN
COMMISSIONER, PRECINCT 3

DARRELL GODWIN
COMMISSIONER, PRECINCT 4

Attest:
Amy L Varnell
AMY L. VARNELL
CASS COUNTY CLERK

**CASS COUNTY COMMISSIONERS' COURT**
**604 HIGHWAY 8, NORTH**
**LINDEN, TEXAS**

**OCTOBER 10, 2023**
**REGULAR SESSION**

FILED FOR RECORD
2023 OCT 10 A 9:33
AMY L. VARNELL
CASS COUNTY CLERK

# JURY SELECTION PLAN
# CASS COUNTY

## STATUTORY AUTHORITY

This plan shall be in compliance with all portions of Chapter 62 of the Government Code, Vernon's Texas Code Annotated.

## SOURCE OF NAMES

As stated in Section 62.001 of the Government Code, the source from which the jury wheel shall be constituted, is the names of all persons on the current voter registration lists from all the precincts in Cass County, Texas and the names of all citizens of the County who hold a valid Texas driver's license, and the citizens who hold valid person identification card or certificate issued by the Texas Department of Public Safety, as soon as such information is available from the Secretary of State; provided, however, that the names of persons listed on a register of persons exempt from jury service may not be placed in the jury wheel as provided in Government Code §§ 62.102 (1),(2), or (8) and 62.108, 62.109, 62.113, 62.114, 62.115.

APPROVED THIS THE 24 DAY OF October, 2023.

R. TRAVIS RANSOM
COUNTY JUDGE

BRETT FITTS
COMMISSIONER, PRECINCT 1

KEVIN YOUNG
COMMISSIONER, PRECINCT 2

PAUL COTHREN
COMMISSIONER, PRECINCT 3

Darrell Godwin
DARRELL GODWIN
COMMISSIONER, PRECINCT 4

Attest:
Amy L Varnell
AMY L. VARNELL
CASS COUNTY CLERK

**CASS COUNTY COMMISSIONERS' COURT**
**604 HIGHWAY 8, NORTH**
**LINDEN, TEXAS**

**OCTOBER 24, 2023**
**REGULAR SESSION**

# RESOLUTION AUTHORIZING COUNTY GRANT
## PROGRAM YEAR 2024

A resolution of the County of Cass (County)Texas certifying that the County has made a grant to Senior Citizens Services of Texarkana, Inc. (*Organization*), an organization that provides home-delivered meals to homebound persons in the County who are elderly and/or have a disability, and certifying that the County has approved the Organization's accounting system or fiscal agent.

Whereas, the Organization seeks to apply for grant funds from the Texas Department of Agriculture to supplement and extend existing services for homebound persons in the County who are elderly and/or have a disability pursuant to the Home-Delivered Meal Grant Program (Program);

Whereas, the Program rules require the County in which an Organization is providing home-delivered meal services to make a grant to the Organization in order for the Organization to be eligible to receive Program grant fund; and

Whereas, the Program rules further require the County approve the Organization's accounting system or fiscal agent in order for the Organization to be eligible to receive Program grant funds;

**Be It Resolved by The County:**

SECTION 1: The County hereby certifies that it has made a grant to the Organization in the amount of $2,194.25 to be used between the:

1st of October 2023 and the 30th of September 2024

SECTION 2: The County hereby certifies that the Organization provides home-delivered meals to homebound persons in the County who are elderly and/or have a disability.

SECTION 3: The County hereby certifies that it has approved the Organization's accounting system or fiscal agent which meets financial management system requirements as set forth in the Texas Grant Management Standards promulgated by the Texas Comptroller of Public Accounts.

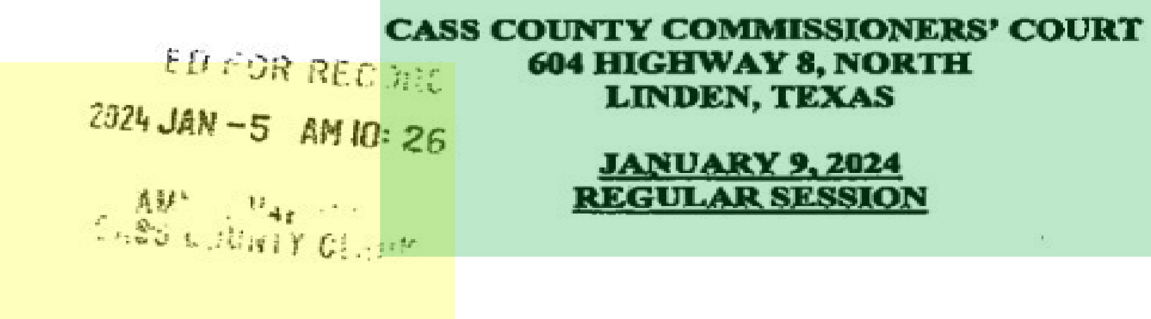
Introduced, read, and passed by the affirmative vote of the County on this 24th day of October, 2023.

County Judge

Amy L Varnell
County Clerk

10/24/23
Date

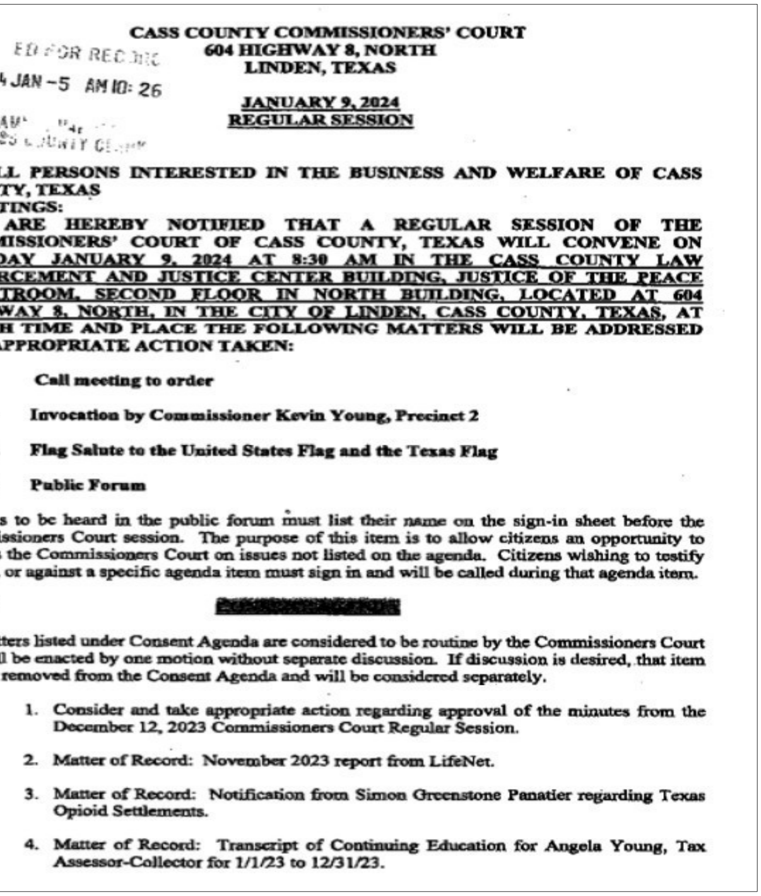
FILED FOR RECORD
2023 OCT 24 P 3 33
AMY L. VARNELL
CASS COUNTY CLERK



ED FOR REC
2024 JAN -5 AM 10: 26
CASS COUNTY CL

**CASS COUNTY COMMISSIONERS' COURT**
**604 HIGHWAY 8, NORTH**
**LINDEN, TEXAS**

**JANUARY 9, 2024**
**REGULAR SESSION**



**CASS COUNTY COMMISSIONERS' COURT**
**604 HIGHWAY 8, NORTH**
**LINDEN, TEXAS**

ED FOR REC
JAN -5 AM 10: 26

**JANUARY 9, 2024**
**REGULAR SESSION**

**LL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS**
**TY, TEXAS**
**TINGS:**
**ARE HEREBY NOTIFIED THAT A REGULAR SESSION OF THE**
**MISSIONERS' COURT OF CASS COUNTY, TEXAS WILL CONVENE ON**
**DAY JANUARY 9, 2024 AT 8:30 AM IN THE CASS COUNTY LAW**
**RCEMENT AND JUSTICE CENTER BUILDING, JUSTICE OF THE PEACE**
**TROOM, SECOND FLOOR IN NORTH BUILDING, LOCATED AT 604**
**WAY 8, NORTH, IN THE CITY OF LINDEN, CASS COUNTY, TEXAS, AT**
**H TIME AND PLACE THE FOLLOWING MATTERS WILL BE ADDRESSED**
**PPROPRIATE ACTION TAKEN:**

**Call meeting to order**

**Invocation by Commissioner Kevin Young, Precinct 2**

**Flag Salute to the United States Flag and the Texas Flag**

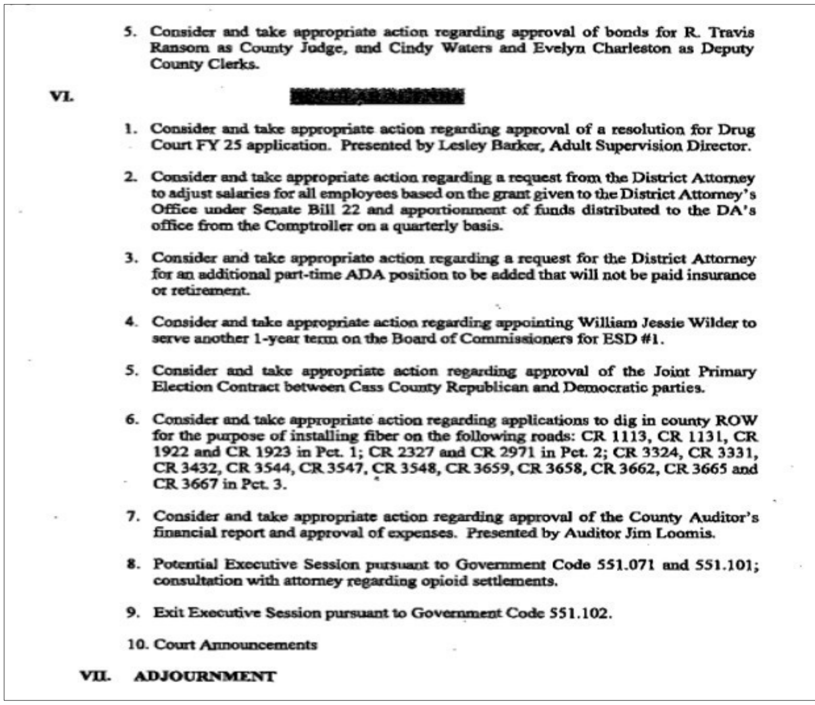
**Public Forum**

s to be heard in the public forum must list their name on the sign-in sheet before the
issioners Court session. The purpose of this item is to allow citizens an opportunity to
the Commissioners Court on issues not listed on the agenda. Citizens wishing to testify
or against a specific agenda item must sign in and will be called during that agenda item.

[redacted]

tters listed under Consent Agenda are considered to be routine by the Commissioners Court
l be enacted by one motion without separate discussion. If discussion is desired, that item
removed from the Consent Agenda and will be considered separately.

1. Consider and take appropriate action regarding approval of the minutes from the December 12, 2023 Commissioners Court Regular Session.
2. Matter of Record: November 2023 report from LifeNet.
3. Matter of Record: Notification from Simon Greenstone Panatier regarding Texas Opioid Settlements.
4. Matter of Record: Transcript of Continuing Education for Angela Young, Tax Assessor-Collector for 1/1/23 to 12/31/23.



5. Consider and take appropriate action regarding approval of bonds for R. Travis Ransom as County Judge, and Cindy Waters and Evelyn Charleston as Deputy County Clerks.

**VI.** [redacted]

1. Consider and take appropriate action regarding approval of a resolution for Drug Court FY 25 application. Presented by Lesley Barker, Adult Supervision Director.
2. Consider and take appropriate action regarding a request from the District Attorney to adjust salaries for all employees based on the grant given to the District Attorney's Office under Senate Bill 22 and apportionment of funds distributed to the DA's office from the Comptroller on a quarterly basis.
3. Consider and take appropriate action regarding a request for the District Attorney for an additional part-time ADA position to be added that will not be paid insurance or retirement.
4. Consider and take appropriate action regarding appointing William Jessie Wilder to serve another 1-year term on the Board of Commissioners for ESD #1.
5. Consider and take appropriate action regarding approval of the Joint Primary Election Contract between Cass County Republican and Democratic parties.
6. Consider and take appropriate action regarding applications to dig in county ROW for the purpose of installing fiber on the following roads: CR 1113, CR 1131, CR 1922 and CR 1923 in Pct. 1; CR 2327 and CR 2971 in Pct. 2; CR 3324, CR 3331, CR 3432, CR 3544, CR 3547, CR 3548, CR 3659, CR 3658, CR 3662, CR 3665 and CR 3667 in Pct. 3.
7. Consider and take appropriate action regarding approval of the County Auditor's financial report and approval of expenses. Presented by Auditor Jim Loomis.
8. Potential Executive Session pursuant to Government Code 551.071 and 551.101; consultation with attorney regarding opioid settlements.
9. Exit Executive Session pursuant to Government Code 551.102.
10. Court Announcements

**VII. ADJOURNMENT**

2024 marks the first time Cass County used the black line on its agenda. Item V
ly contains the legally binding portion of the meeting where the Court exercises
ction, property authority, and courthouse-level functions. When the County blacks
ne Item V header, the action converts the legal code of that section into
strative code. The blackout appears to conceal content, but its true effect is to
the State's judicial oversight function by stripping the section of its legal
cation and forcing all listed items to default to administrative discussion.

# CASS COUNTY COMMISSIONERS' COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

## JANUARY 23, 2024
## REGULAR SESSION

2024 JAN 19 AM

IE BUSINESS AND WELFARE OF CA

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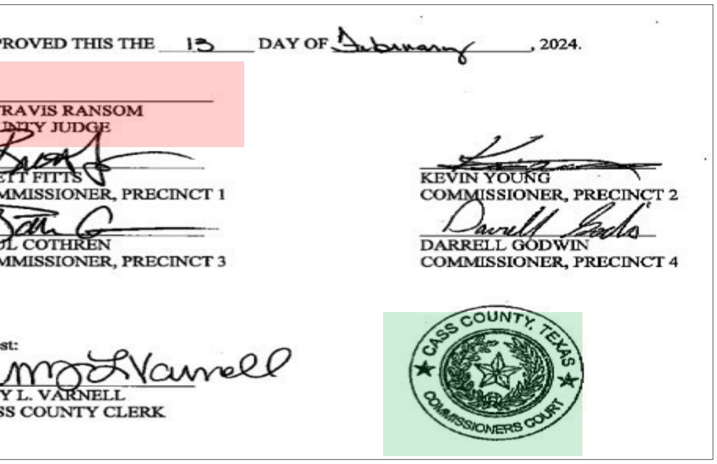

PROVED THIS THE 13 DAY OF February, 2024.

RAVIS RANSOM
NTY JUDGE

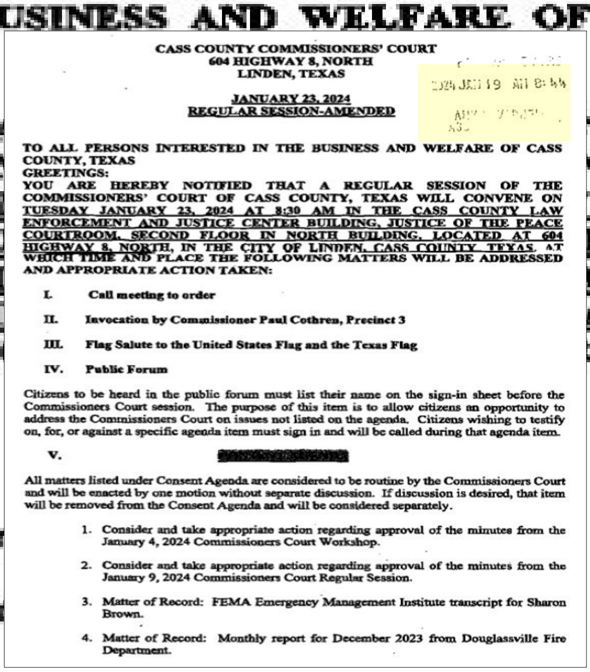
ETT FITTS
MMISSIONER, PRECINCT 1

KEVIN YOUNG
COMMISSIONER, PRECINCT 2

L COTHREN
MMISSIONER, PRECINCT 3

Darrell Godwin
DARRELL GODWIN
COMMISSIONER, PRECINCT 4

st:
Amy L Varnell
Y L. VARNELL
SS COUNTY CLERK


CASS COUNTY COMMISSIONERS' COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

JANUARY 23, 2024
REGULAR SESSION-AMENDED

2024 JAN 19 AM 8:44

TO ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS
GREETINGS:
YOU ARE HEREBY NOTIFIED THAT A REGULAR SESSION OF THE COMMISSIONERS' COURT OF CASS COUNTY, TEXAS WILL CONVENE ON TUESDAY JANUARY 23, 2024 AT 8:30 AM IN THE CASS COUNTY LAW ENFORCEMENT AND JUSTICE CENTER BUILDING, JUSTICE OF THE PEACE COURTROOM, SECOND FLOOR IN NORTH BUILDING, LOCATED AT 604 HIGHWAY 8, NORTH, IN THE CITY OF LINDEN, CASS COUNTY, TEXAS, AT WHICH TIME AND PLACE THE FOLLOWING MATTERS WILL BE ADDRESSED AND APPROPRIATE ACTION TAKEN:

I. **Call meeting to order**

II. **Invocation by Commissioner Paul Cothren, Precinct 3**

III. **Flag Salute to the United States Flag and the Texas Flag**

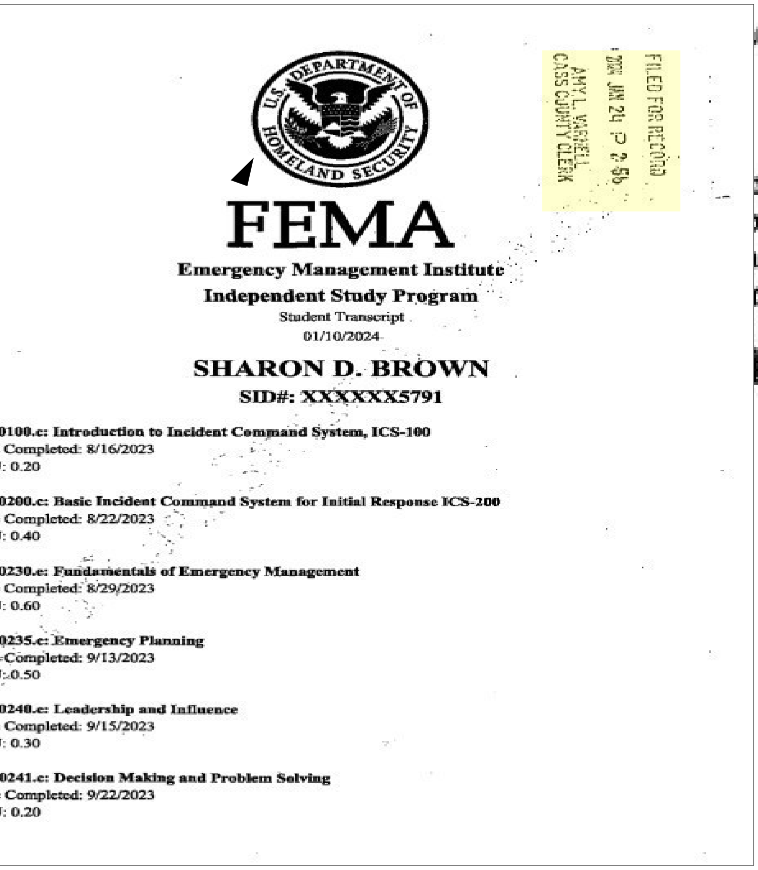
IV. **Public Forum**

Citizens to be heard in the public forum must list their name on the sign-in sheet before the Commissioners Court session. The purpose of this item is to allow citizens an opportunity to address the Commissioners Court on issues not listed on the agenda. Citizens wishing to testify on, for, or against a specific agenda item must sign in and will be called during that agenda item.

V. [redacted]

All matters listed under Consent Agenda are considered to be routine by the Commissioners Court and will be enacted by one motion without separate discussion. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

1. Consider and take appropriate action regarding approval of the minutes from the January 4, 2024 Commissioners Court Workshop.
2. Consider and take appropriate action regarding approval of the minutes from the January 9, 2024 Commissioners Court Regular Session.
3. Matter of Record: FEMA Emergency Management Institute transcript for Sharon Brown.
4. Matter of Record: Monthly report for December 2023 from Douglassville Fire Department.


FILED FOR RECORD
2024 JAN 24 P 2:56
AMY L. VARNELL
CASS COUNTY CLERK

FEMA
Emergency Management Institute
Independent Study Program
Student Transcript
01/10/2024

**SHARON D. BROWN**
**SID#: XXXXXX5791**

0100.c: Introduction to Incident Command System, ICS-100
Completed: 8/16/2023
: 0.20

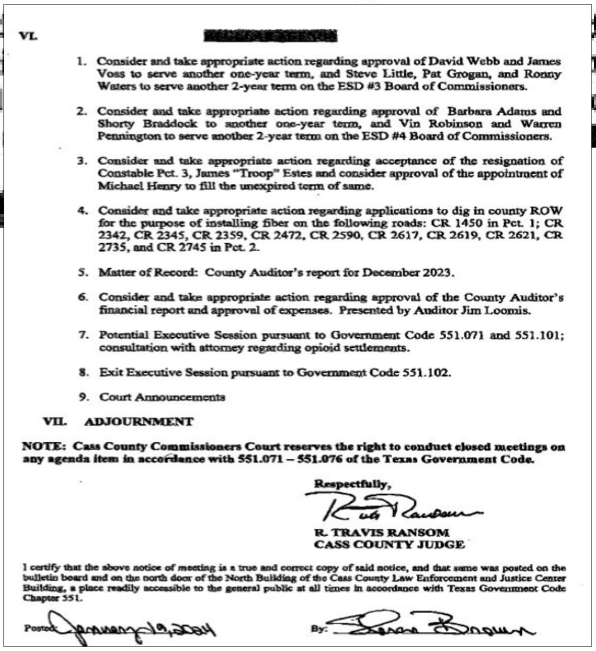
0200.c: Basic Incident Command System for Initial Response ICS-200
Completed: 8/22/2023
: 0.40

0230.e: Fundamentals of Emergency Management
Completed: 8/29/2023
: 0.60

0235.c: Emergency Planning
Completed: 9/13/2023
:0.50

0240.c: Leadership and Influence
Completed: 9/15/2023
: 0.30

0241.c: Decision Making and Problem Solving
Completed: 9/22/2023
: 0.20


VI. [redacted]

1. Consider and take appropriate action regarding approval of David Webb and James Voss to serve another one-year term, and Steve Little, Pat Grogan, and Ronny Waters to serve another 2-year term on the ESD #3 Board of Commissioners.
2. Consider and take appropriate action regarding approval of Barbara Adams and Shorty Braddock to another one-year term, and Vin Robinson and Warren Pennington to serve another 2-year term on the ESD #4 Board of Commissioners.
3. Consider and take appropriate action regarding acceptance of the resignation of Constable Pct. 3, James "Troop" Estes and consider approval of the appointment of Michael Henry to fill the unexpired term of same.
4. Consider and take appropriate action regarding applications to dig in county ROW for the purpose of installing fiber on the following roads: CR 1450 in Pct. 1; CR 2342, CR 2345, CR 2359, CR 2472, CR 2590, CR 2617, CR 2619, CR 2621, CR 2735, and CR 2745 in Pct. 2.
5. Matter of Record: County Auditor's report for December 2023.
6. Consider and take appropriate action regarding approval of the County Auditor's financial report and approval of expenses. Presented by Auditor Jim Loomis.
7. Potential Executive Session pursuant to Government Code 551.071 and 551.101; consultation with attorney regarding opioid settlements.
8. Exit Executive Session pursuant to Government Code 551.102.
9. Court Announcements

VII. **ADJOURNMENT**

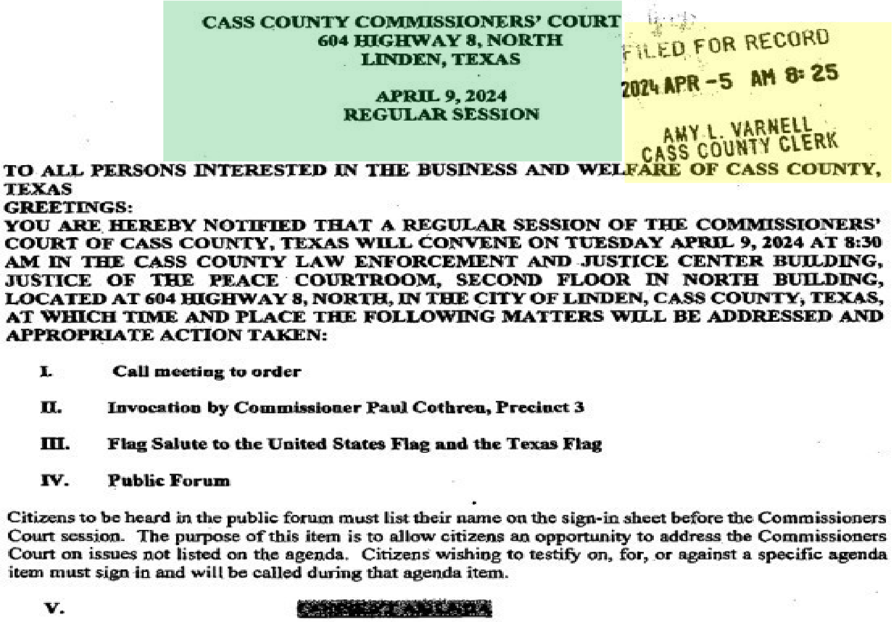
**NOTE: Cass County Commissioners Court reserves the right to conduct closed meetings on any agenda item in accordance with 551.071 – 551.076 of the Texas Government Code.**

**Respectfully,**

**R. TRAVIS RANSOM**
**CASS COUNTY JUDGE**

I certify that the above notice of meeting is a true and correct copy of said notice, and that same was posted on the bulletin board and on the north door of the North Building of the Cass County Law Enforcement and Justice Center Building, a place readily accessible to the general public at all times in accordance with Texas Government Code Chapter 551.

Posted: January 19, 2024 By: Sharon Brown



CASS COUNTY COMMISSIONERS' COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

APRIL 9, 2024
REGULAR SESSION

FILED FOR RECORD
2024 APR -5 AM 8: 25
AMY L. VARNELL
CASS COUNTY CLERK

**TO ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS**
**GREETINGS:**
**YOU ARE HEREBY NOTIFIED THAT A REGULAR SESSION OF THE COMMISSIONERS' COURT OF CASS COUNTY, TEXAS WILL CONVENE ON TUESDAY APRIL 9, 2024 AT 8:30 AM IN THE CASS COUNTY LAW ENFORCEMENT AND JUSTICE CENTER BUILDING, JUSTICE OF THE PEACE COURTROOM, SECOND FLOOR IN NORTH BUILDING, LOCATED AT 604 HIGHWAY 8, NORTH, IN THE CITY OF LINDEN, CASS COUNTY, TEXAS, AT WHICH TIME AND PLACE THE FOLLOWING MATTERS WILL BE ADDRESSED AND APPROPRIATE ACTION TAKEN:**

**I. Call meeting to order**

**II. Invocation by Commissioner Paul Cothren, Precinct 3**

**III. Flag Salute to the United States Flag and the Texas Flag**

**IV. Public Forum**

Citizens to be heard in the public forum must list their name on the sign-in sheet before the Commissioners Court session. The purpose of this item is to allow citizens an opportunity to address the Commissioners Court on issues not listed on the agenda. Citizens wishing to testify on, for, or against a specific agenda item must sign in and will be called during that agenda item.

**V.** [redacted]

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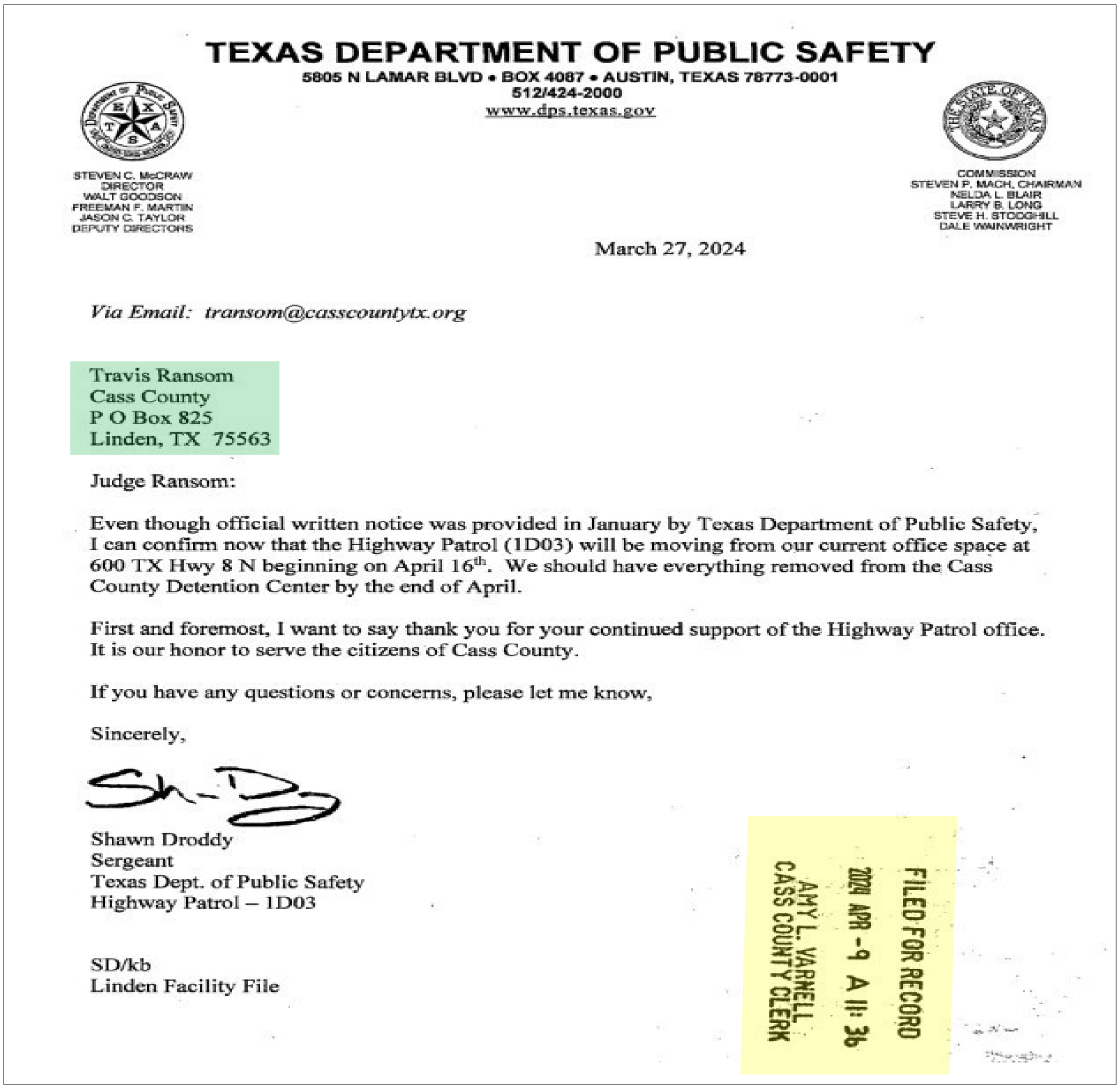


TEXAS DEPARTMENT OF PUBLIC SAFETY
5805 N LAMAR BLVD • BOX 4087 • AUSTIN, TEXAS 78773-0001
512/424-2000
www.dps.texas.gov

STEVEN C. McCRAW
DIRECTOR
WALT GOODSON
FREEMAN F. MARTIN
JASON C. TAYLOR
DEPUTY DIRECTORS

COMMISSION
STEVEN P. MACH, CHAIRMAN
NELDA L. BLAIR
LARRY B. LONG
STEVE H. STODGHILL
DALE WAINWRIGHT

March 27, 2024

*Via Email: transom@casscountytx.org*

Travis Ransom
Cass County
P O Box 825
Linden, TX 75563

Judge Ransom:

Even though official written notice was provided in January by Texas Department of Public Safety, I can confirm now that the Highway Patrol (1D03) will be moving from our current office space at 600 TX Hwy 8 N beginning on April 16th. We should have everything removed from the Cass County Detention Center by the end of April.

First and foremost, I want to say thank you for your continued support of the Highway Patrol office. It is our honor to serve the citizens of Cass County.

If you have any questions or concerns, please let me know,

Sincerely,

Shawn Droddy
Sergeant
Texas Dept. of Public Safety
Highway Patrol – 1D03

SD/kb
Linden Facility File

FILED FOR RECORD
2024 APR -9 A 11: 36
AMY L. VARNELL
CASS COUNTY CLERK

FILED FOR RECORD
JUN -7 AM 8: 22
AMY L. VARNELL
CASS COUNTY CLERK

## CASS COUNTY COMMISSIONERS' COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

JUNE 11, 2024
REGULAR SESSION

TO ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS
GREETINGS:

OVED THIS THE 25 DAY OF June, 2024.

AVIS RANSOM
NTY JUDGE

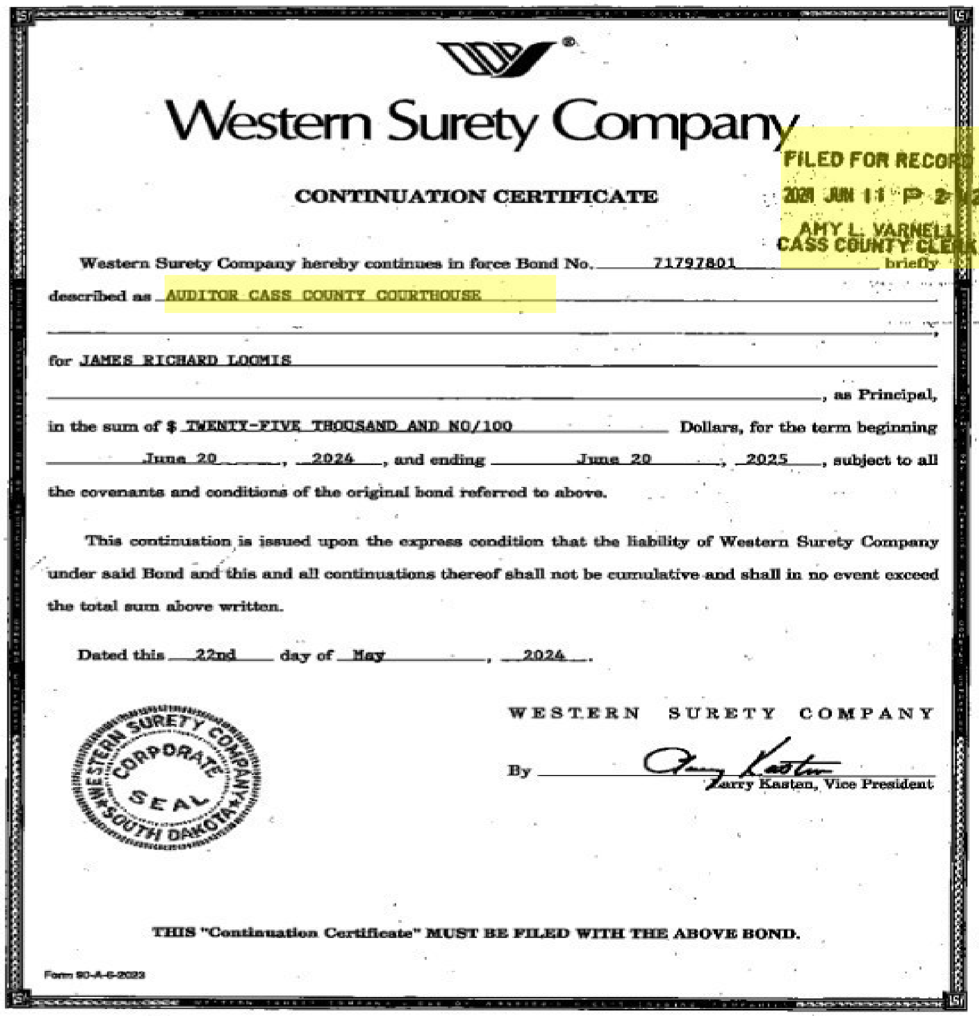
T FITTS
MISSIONER, PRECINCT 1

KEVIN YOUNG
COMMISSIONER, PRECINCT 2

G LANCE
MISSIONER, PRECINCT 3

Darrell Godwin
DARRELL GODWIN
COMMISSIONER, PRECINCT 4

:
Amy L Varnell
L. VARNELL
COUNTY CLERK



# Western Surety Company

FILED FOR RECORD
2024 JUN 11 P 2 2
AMY L. VARNELL
CASS COUNTY CLERK

## CONTINUATION CERTIFICATE

Western Surety Company hereby continues in force Bond No. 71797801 briefly described as AUDITOR CASS COUNTY COURTHOUSE

for JAMES RICHARD LOOMIS, as Principal,

in the sum of $ TWENTY-FIVE THOUSAND AND NO/100 Dollars, for the term beginning June 20, 2024, and ending June 20, 2025, subject to all the covenants and conditions of the original bond referred to above.

This continuation is issued upon the express condition that the liability of Western Surety Company under said Bond and this and all continuations thereof shall not be cumulative and shall in no event exceed the total sum above written.

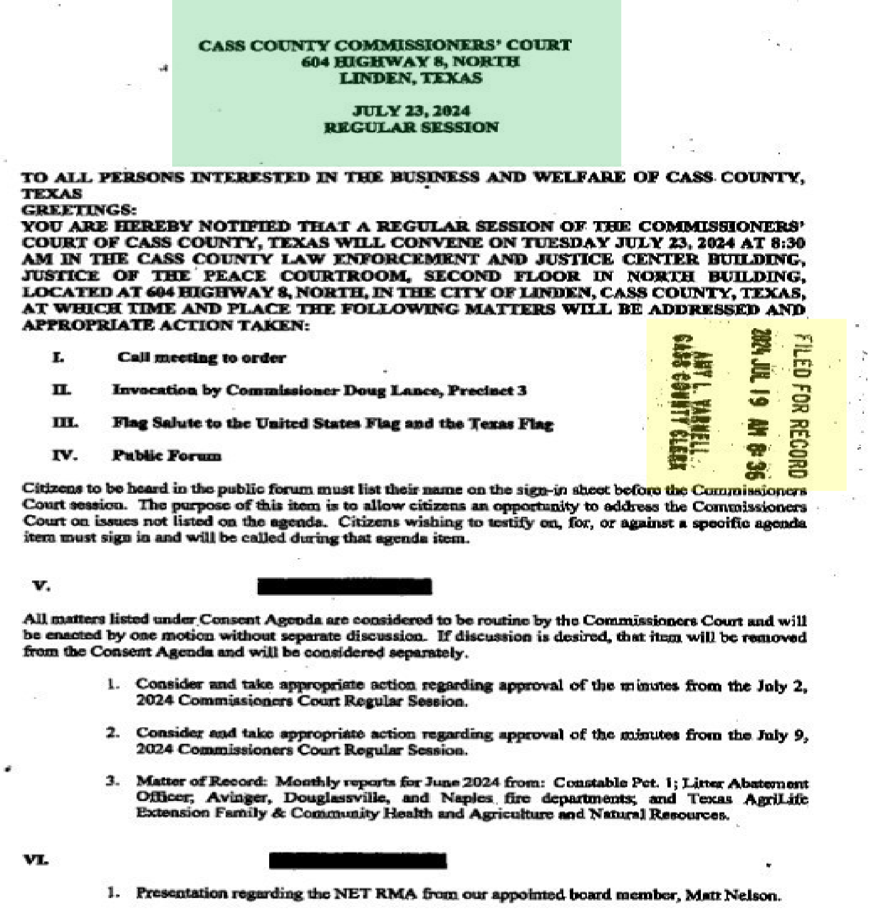
Dated this 22nd day of May, 2024.

WESTERN SURETY COMPANY

By Larry Kasten
Larry Kasten, Vice President

THIS "Continuation Certificate" MUST BE FILED WITH THE ABOVE BOND.

Form 90-A-6-2023



CASS COUNTY COMMISSIONERS' COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

JULY 23, 2024
REGULAR SESSION

TO ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS
GREETINGS:
YOU ARE HEREBY NOTIFIED THAT A REGULAR SESSION OF THE COMMISSIONERS' COURT OF CASS COUNTY, TEXAS WILL CONVENE ON TUESDAY JULY 23, 2024 AT 8:30 AM IN THE CASS COUNTY LAW ENFORCEMENT AND JUSTICE CENTER BUILDING, JUSTICE OF THE PEACE COURTROOM, SECOND FLOOR IN NORTH BUILDING, LOCATED AT 604 HIGHWAY 8, NORTH, IN THE CITY OF LINDEN, CASS COUNTY, TEXAS, AT WHICH TIME AND PLACE THE FOLLOWING MATTERS WILL BE ADDRESSED AND APPROPRIATE ACTION TAKEN:

FILED FOR RECORD
2024 JUL 19 AM 8:36
AMY L. VARNELL
CASS COUNTY CLERK

- **I.** **Call meeting to order**
- **II.** **Invocation by Commissioner Doug Lance, Precinct 3**
- **III.** **Flag Salute to the United States Flag and the Texas Flag**
- **IV.** **Public Forum**

Citizens to be heard in the public forum must list their name on the sign-in sheet before the Commissioners Court session. The purpose of this item is to allow citizens an opportunity to address the Commissioners Court on issues not listed on the agenda. Citizens wishing to testify on, for, or against a specific agenda item must sign in and will be called during that agenda item.

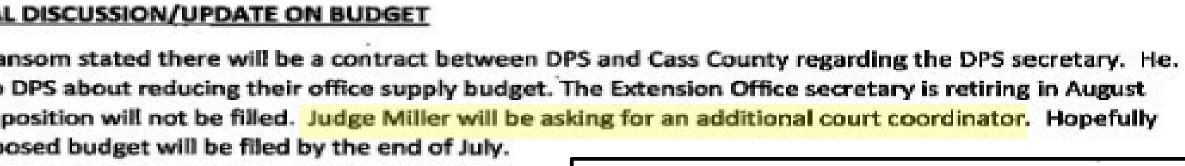
**V.** [redacted]

All matters listed under Consent Agenda are considered to be routine by the Commissioners Court and will be enacted by one motion without separate discussion. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

1. Consider and take appropriate action regarding approval of the minutes from the July 2, 2024 Commissioners Court Regular Session.
2. Consider and take appropriate action regarding approval of the minutes from the July 9, 2024 Commissioners Court Regular Session.
3. Matter of Record: Monthly reports for June 2024 from: Constable Pct. 1; Litter Abatement Officer; Avinger, Douglassville, and Naples fire departments; and Texas AgriLife Extension Family & Community Health and Agriculture and Natural Resources.

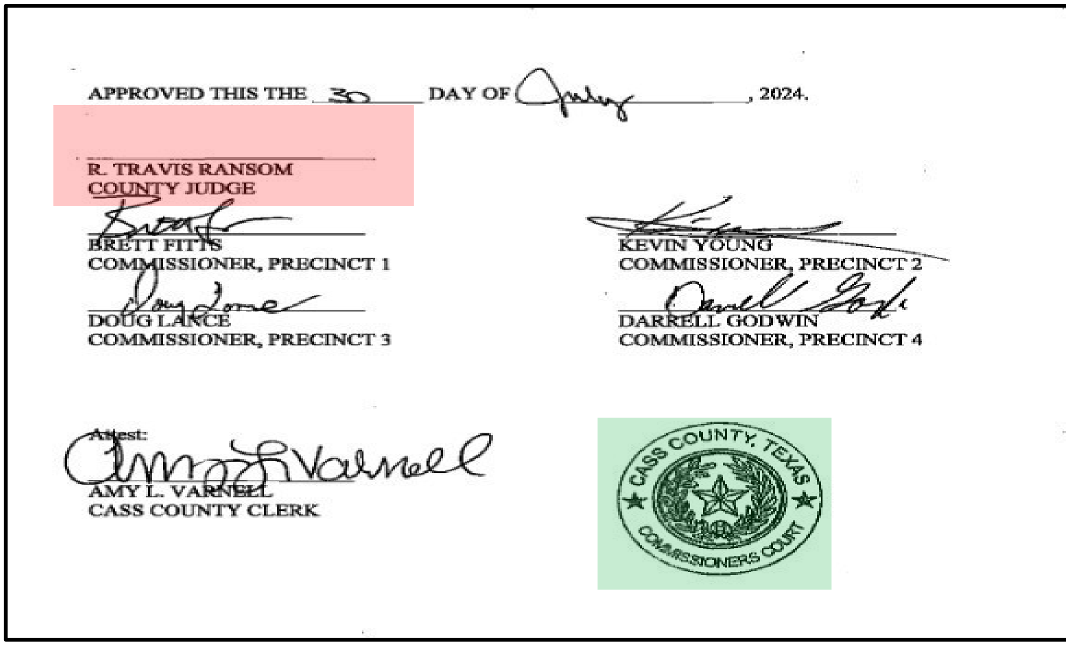
**VI.** [redacted]

1. Presentation regarding the NET RMA from our appointed board member, Matt Nelson.



**L DISCUSSION/UPDATE ON BUDGET**

ansom stated there will be a contract between DPS and Cass County regarding the DPS secretary. He.
DPS about reducing their office supply budget. The Extension Office secretary is retiring in August
position will not be filled. Judge Miller will be asking for an additional court coordinator. Hopefully
osed budget will be filed by the end of July.



APPROVED THIS THE 30 DAY OF July, 2024.

R. TRAVIS RANSOM
COUNTY JUDGE

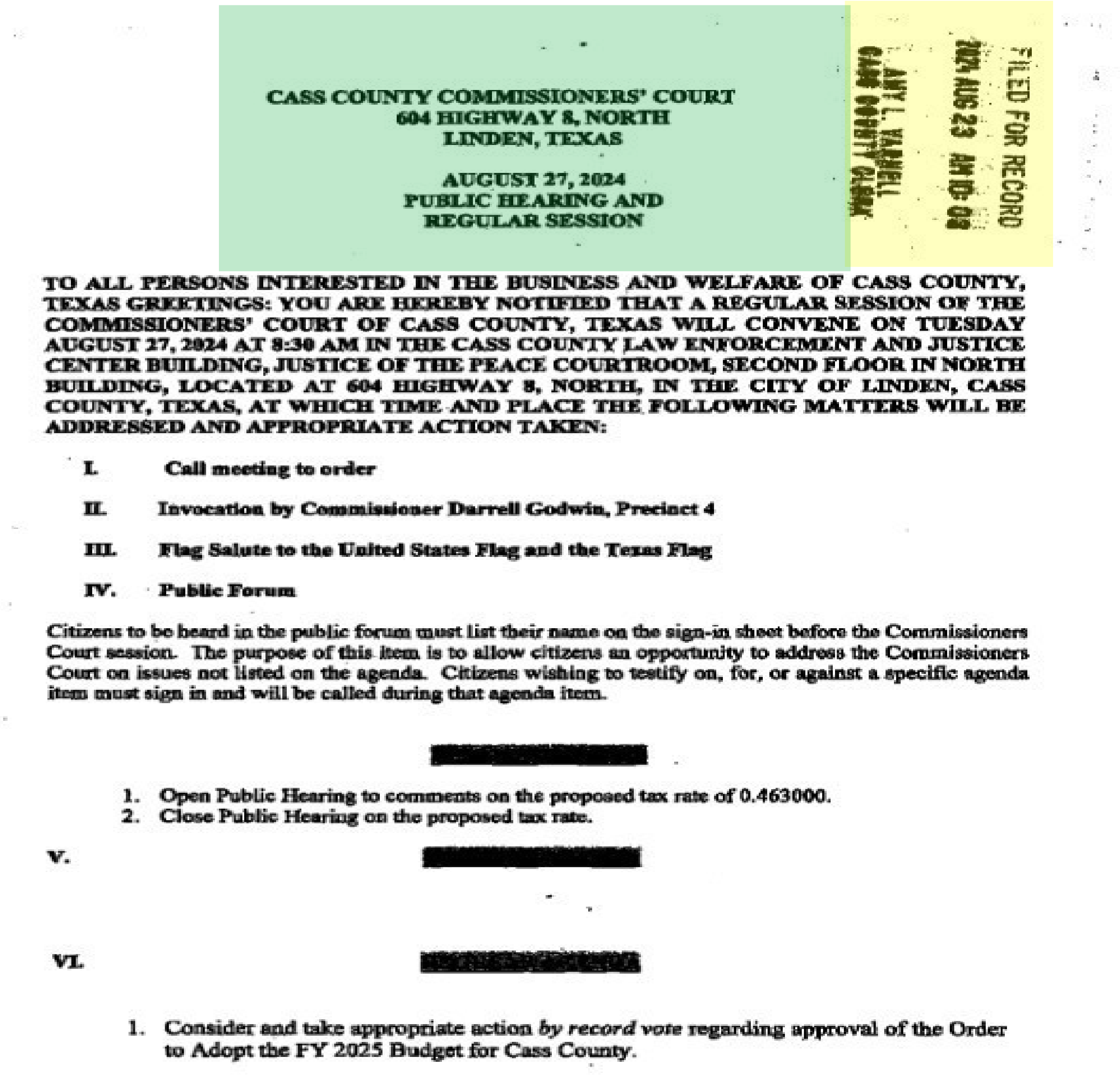
BRETT FITTS
COMMISSIONER, PRECINCT 1

KEVIN YOUNG
COMMISSIONER, PRECINCT 2

Doug Lance
DOUG LANCE
COMMISSIONER, PRECINCT 3

Darrell Godwin
DARRELL GODWIN
COMMISSIONER, PRECINCT 4

Attest:
Amy L Varnell
AMY L. VARNELL
CASS COUNTY CLERK



FILED FOR RECORD
2024 AUG 23 AM 10: 08
AMY L. YARNELL
CASS COUNTY CLERK

**CASS COUNTY COMMISSIONERS' COURT**
**604 HIGHWAY 8, NORTH**
**LINDEN, TEXAS**

**AUGUST 27, 2024**
**PUBLIC HEARING AND**
**REGULAR SESSION**

**TO ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS GREETINGS: YOU ARE HEREBY NOTIFIED THAT A REGULAR SESSION OF THE COMMISSIONERS' COURT OF CASS COUNTY, TEXAS WILL CONVENE ON TUESDAY AUGUST 27, 2024 AT 8:30 AM IN THE CASS COUNTY LAW ENFORCEMENT AND JUSTICE CENTER BUILDING, JUSTICE OF THE PEACE COURTROOM, SECOND FLOOR IN NORTH BUILDING, LOCATED AT 604 HIGHWAY 8, NORTH, IN THE CITY OF LINDEN, CASS COUNTY, TEXAS, AT WHICH TIME AND PLACE THE FOLLOWING MATTERS WILL BE ADDRESSED AND APPROPRIATE ACTION TAKEN:**

**I.** **Call meeting to order**

**II.** **Invocation by Commissioner Darrell Godwin, Precinct 4**

**III.** **Flag Salute to the United States Flag and the Texas Flag**

**IV.** **Public Forum**

Citizens to be heard in the public forum must list their name on the sign-in sheet before the Commissioners Court session. The purpose of this item is to allow citizens an opportunity to address the Commissioners Court on issues not listed on the agenda. Citizens wishing to testify on, for, or against a specific agenda item must sign in and will be called during that agenda item.

[redacted]

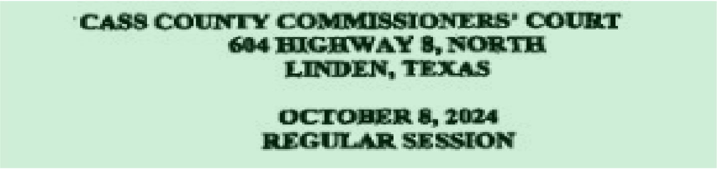
1. Open Public Hearing to comments on the proposed tax rate of 0.463000.
2. Close Public Hearing on the proposed tax rate.

**V.** [redacted]

**VI.** [redacted]

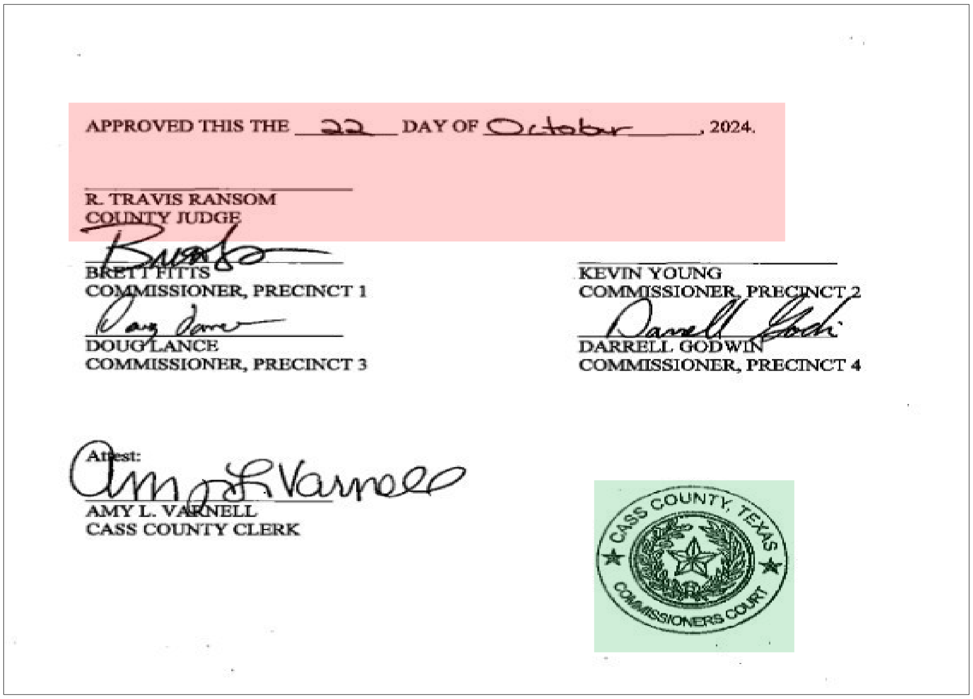
1. Consider and take appropriate action *by record vote* regarding approval of the Order to Adopt the FY 2025 Budget for Cass County.

First time three black lines appeared



**CASS COUNTY COMMISSIONERS' COURT**
**604 HIGHWAY 8, NORTH**
**LINDEN, TEXAS**

**OCTOBER 8, 2024**
**REGULAR SESSION**



APPROVED THIS THE 22 DAY OF October, 2024.

R. TRAVIS RANSOM
COUNTY JUDGE

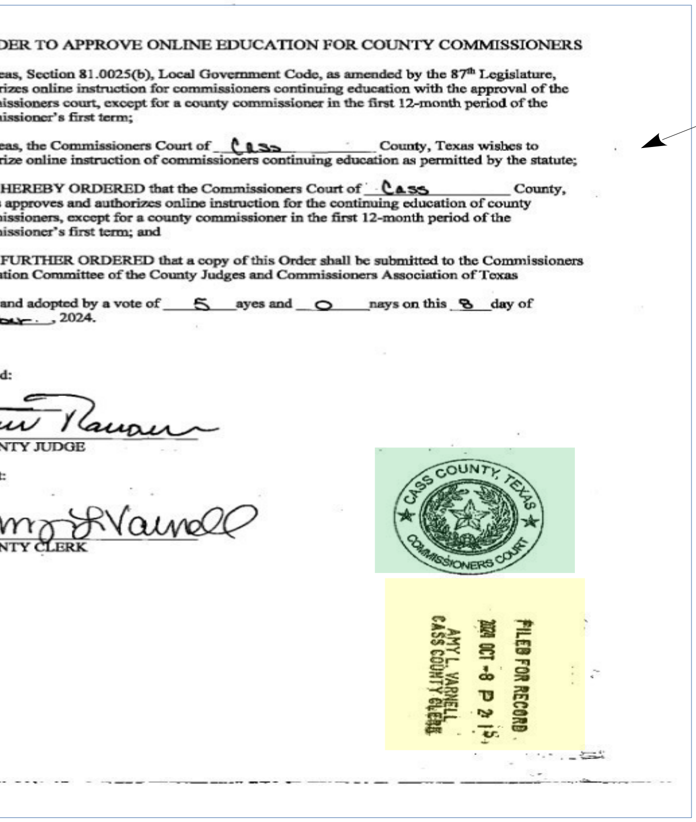
BRETT FITTS
COMMISSIONER, PRECINCT 1

KEVIN YOUNG
COMMISSIONER, PRECINCT 2

DOUG LANCE
COMMISSIONER, PRECINCT 3

Darrell Godwin
DARRELL GODWIN
COMMISSIONER, PRECINCT 4

Attest:
Amy L Varnell
AMY L. VARNELL
CASS COUNTY CLERK



DER TO APPROVE ONLINE EDUCATION FOR COUNTY COMMISSIONERS

eas, Section 81.0025(b), Local Government Code, as amended by the 87th Legislature,
rizes online instruction for commissioners continuing education with the approval of the
nissioners court, except for a county commissioner in the first 12-month period of the
nissioner's first term;

eas, the Commissioners Court of Cass County, Texas wishes to
rize online instruction of commissioners continuing education as permitted by the statute;

HEREBY ORDERED that the Commissioners Court of Cass County,
approves and authorizes online instruction for the continuing education of county
nissioners, except for a county commissioner in the first 12-month period of the
nissioner's first term; and

FURTHER ORDERED that a copy of this Order shall be submitted to the Commissioners
ation Committee of the County Judges and Commissioners Association of Texas

and adopted by a vote of 5 ayes and 0 nays on this 8 day of
ber, 2024.

d:

NTY JUDGE

t:
Amy L Varnell
NTY CLERK

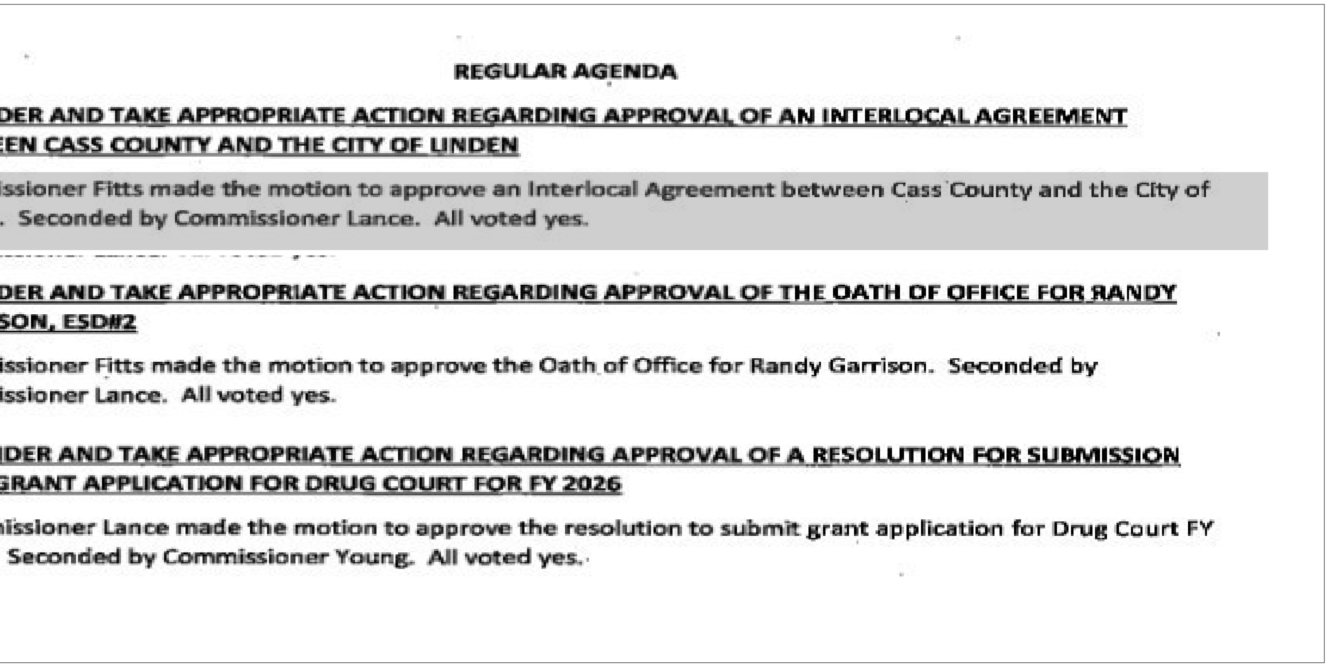
FILED FOR RECORD
2024 OCT -8 P 2:15
AMY L. VARNELL
CASS COUNTY CLERK

The Location: COUNTY COURTHOUSE doesn't appear on government documents.

Therefore, the stamp is relied upon – it defaults to the stamp – the stamp says 100 E. Houston.

# CASS COUNTY COMMISSIONERS' COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

JANUARY 14, 2025
REGULAR SESSION



## REGULAR AGENDA

**DER AND TAKE APPROPRIATE ACTION REGARDING APPROVAL OF AN INTERLOCAL AGREEMENT EEN CASS COUNTY AND THE CITY OF LINDEN**

issioner Fitts made the motion to approve an Interlocal Agreement between Cass County and the City of . Seconded by Commissioner Lance. All voted yes.

**DER AND TAKE APPROPRIATE ACTION REGARDING APPROVAL OF THE OATH OF OFFICE FOR RANDY SON, ESD#2**

issioner Fitts made the motion to approve the Oath of Office for Randy Garrison. Seconded by issioner Lance. All voted yes.

**IDER AND TAKE APPROPRIATE ACTION REGARDING APPROVAL OF A RESOLUTION FOR SUBMISSION GRANT APPLICATION FOR DRUG COURT FOR FY 2026**

iissioner Lance made the motion to approve the resolution to submit grant application for Drug Court FY Seconded by Commissioner Young. All voted yes.

APPROVED THIS THE 28 DAY OF January, 2025.

R. TRAVIS RANSOM
COUNTY JUDGE

BRETT FITTS
COMMISSIONER, PRECINCT 1

KEVIN YOUNG
COMMISSIONER, PRECINCT 2

Doug Lance
DOUG LANCE
COMMISSIONER, PRECINCT 3

Darrell Godwin
DARRELL GODWIN
COMMISSIONER, PRECINCT 4

Attest:
Amy L. Varnell
AMY L. VARNELL
CASS COUNTY CLERK

# PART IV
2025

CASS COUNTY COMMISSIONERS' COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

FEBRUARY 25, 2025
REGULAR SESSION

**PLEASE NOTE LOCATION CHANGE FOR THIS MEETING ONLY**

**TO ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS GREETINGS: YOU ARE HEREBY NOTIFIED THAT A REGULAR SESSION OF THE COMMISSIONERS' COURT OF CASS COUNTY, TEXAS WILL CONVENE ON TUESDAY FEBRUARY 25, 2025 AT 8:30 AM IN THE *CASS COUNTY HISTORIC COURTHOUSE DISTRICT COURTROOM, SECOND FLOOR, LOCATED AT 100 E. HOUSTON ST., IN THE CITY OF LINDEN,* CASS COUNTY, TEXAS, AT WHICH TIME AND PLACE THE FOLLOWING MATTERS WILL BE ADDRESSED AND APPROPRIATE ACTION TAKEN:**

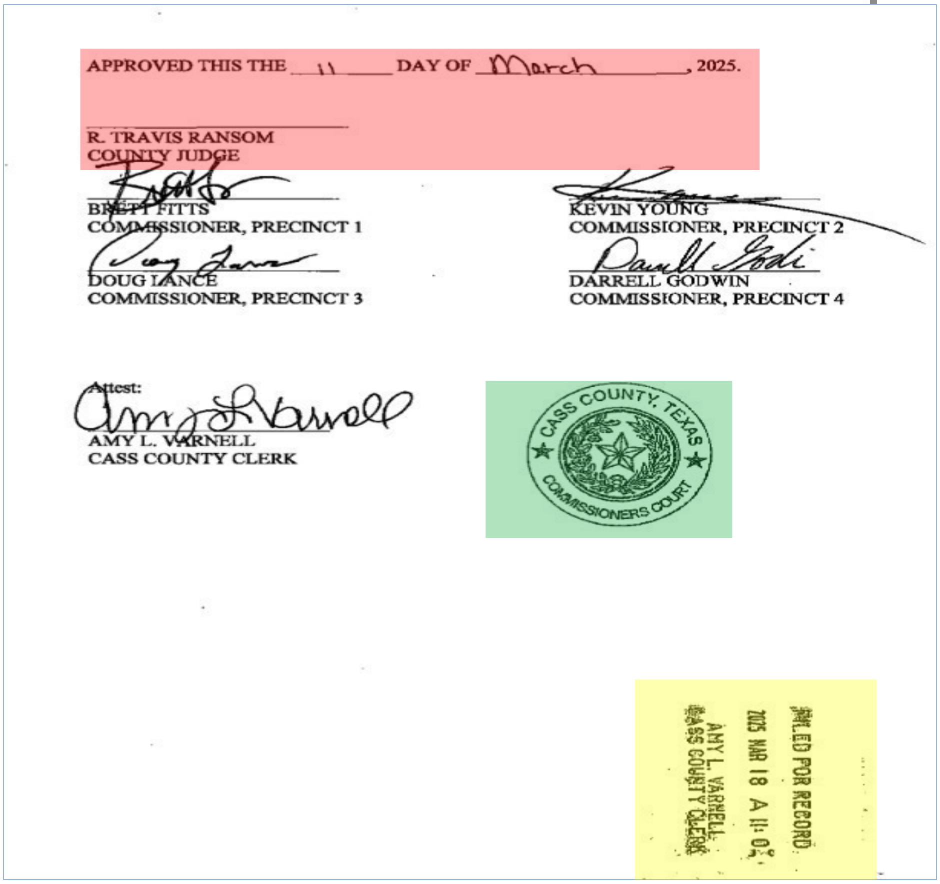
**CONSIDER AND TAKE APPROPRIATE ACTION REGARDING APPROVAL OF RESOLUTION AUTHORIZING THE SUBMISSION OF USDA-FS-2024-CWDG-SGSF PROJECT APPLICATION AND AUTHORIZING THE COUNTY JUDGE TO ACT AS THE EXECUTIVE OFFICER IN ALL MATTERS PERTAINING TO THE COUNTY'S PARTICIPATION IN THE GRANT PROGRAM. PRESENTED BY GRANT COORDINATOR VIN ROBINSON**

Commissioner Lance made the motion to approve the resolution authorizing the submission of USDA-FS-2024-CWDG-SGSF project application and to authorize the County Judge to act as the Executive Officer in all matters pertaining to the county's participation in the grant program. Seconded by Commissioner Young. All voted yes.

**CONSIDER AND TAKE APPROPRIATE ACTION REGARDING APPROVAL OF A RESOLUTION OF THE COURT OPPOSING THE SALE OF WATER RIGHTS BY THE NETMWD FROM LAKE O' THE PINES**

Commissioner Young made the motion to approve a resolution opposing the sale of water rights by the Northeast Texas Municipal Water District from Lake O' the Pines. Seconded by Commissioner Fitts. All voted yes.

February 25, 2025,
Commissioners
urt issued a notice
ing that the meeting
uld occur at the Cass
unty Courthouse.
s was the first
mmissioners Court
eting held inside the
rthouse since 2009



APPROVED THIS THE 11 DAY OF March, 2025.

R. TRAVIS RANSOM
COUNTY JUDGE

BRETT FITTS
COMMISSIONER, PRECINCT 1

KEVIN YOUNG
COMMISSIONER, PRECINCT 2

Doug Lance
DOUG LANCE
COMMISSIONER, PRECINCT 3

Darrell Godwin
DARRELL GODWIN
COMMISSIONER, PRECINCT 4

Attest: Amy L Varnell
AMY L. VARNELL
CASS COUNTY CLERK

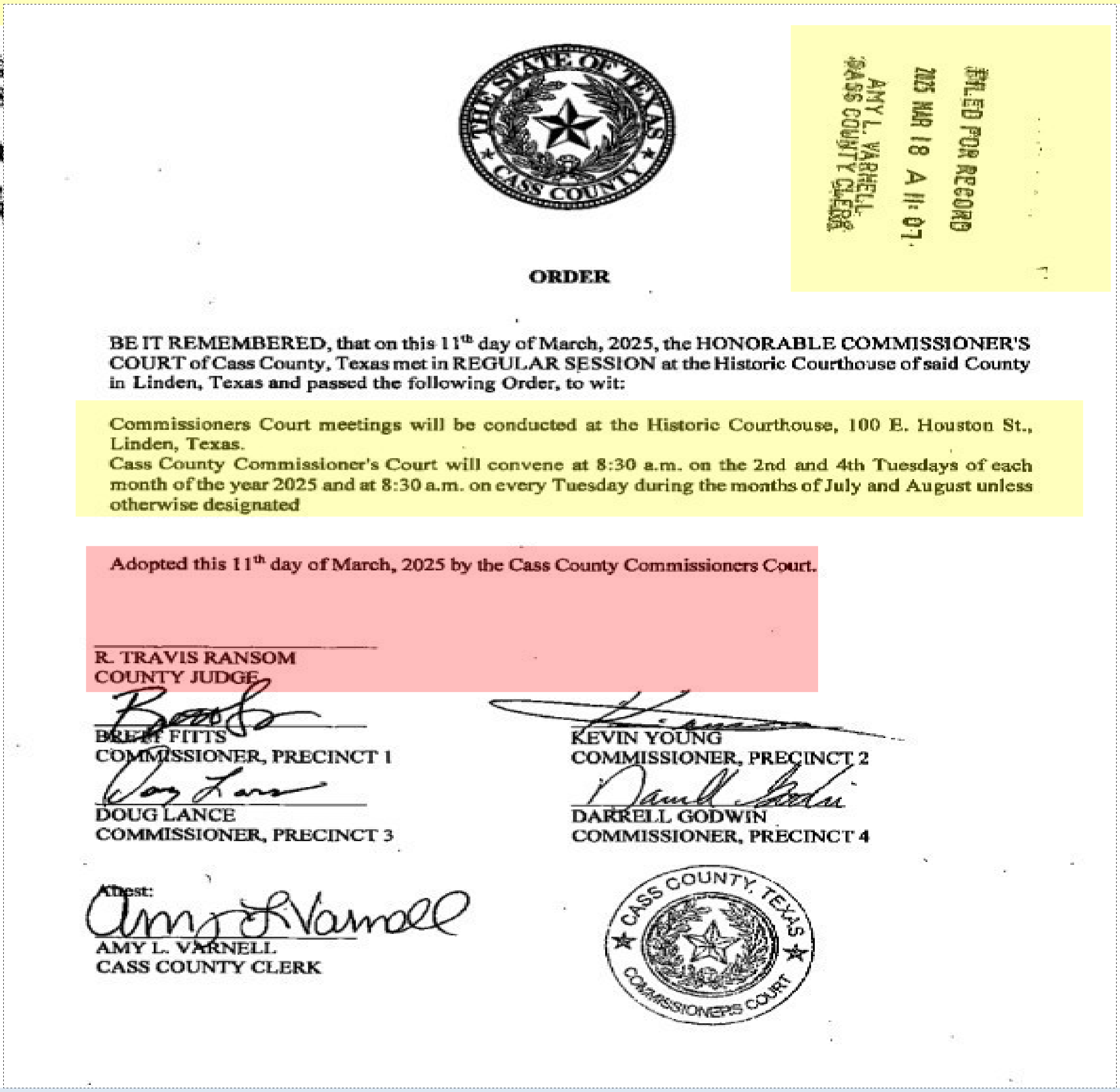
FILED FOR RECORD
2025 MAR 18 A 11:03
AMY L. VARNELL
CASS COUNTY CLERK

**CASS COUNTY COMMISSIONERS' COURT**
**100 E. HOUSTON ST.**
**LINDEN, TEXAS**

**MARCH 11, 2025**
**REGULAR SESSION**
***PLEASE NOTE LOCATION CHANGE FOR THIS MEETING ***

**TO ALL**
**TEXAS G**
**COMMIS**
**MARCH**
**COURTR**
**LINDEN,**
**MATTER**

**UNTY,**
**F THE**
**SDAY**
**TRICT**
**TY OF**
**WING**



FILED FOR RECORD
2025 MAR 18 A 11: 07
AMY L. VARNELL
CASS COUNTY CLERK

**ORDER**

BE IT REMEMBERED, that on this 11th day of March, 2025, the HONORABLE COMMISSIONER'S COURT of Cass County, Texas met in REGULAR SESSION at the Historic Courthouse of said County in Linden, Texas and passed the following Order, to wit:

Commissioners Court meetings will be conducted at the Historic Courthouse, 100 E. Houston St., Linden, Texas.
Cass County Commissioner's Court will convene at 8:30 a.m. on the 2nd and 4th Tuesdays of each month of the year 2025 and at 8:30 a.m. on every Tuesday during the months of July and August unless otherwise designated

Adopted this 11th day of March, 2025 by the Cass County Commissioners Court.

R. TRAVIS RANSOM
COUNTY JUDGE

BRETT FITTS
COMMISSIONER, PRECINCT 1

KEVIN YOUNG
COMMISSIONER, PRECINCT 2

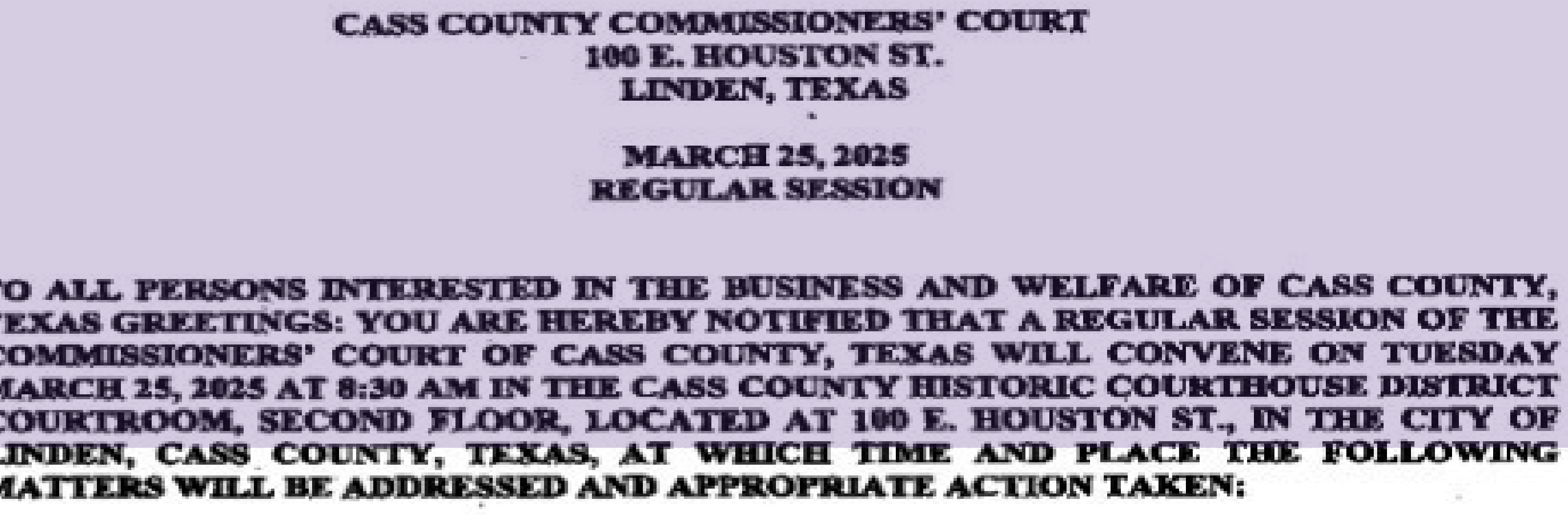
Doug Lance
DOUG LANCE
COMMISSIONER, PRECINCT 3

DARRELL GODWIN
COMMISSIONER, PRECINCT 4

Attest:
Amy L Varnell
AMY L. VARNELL
CASS COUNTY CLERK

ument is titled as an order dated March 11, 2025 and lists the Historic Courthouse at 100
on Street as the meeting location. The signatures of the Commissioners appear on the
the County Judge signature block is displayed without an executed signature.

r states that future meetings will be conducted at the Historic Courthouse and lists the
location for those sessions. The record for earlier years contains no corresponding order
g the Commissioners Court away from the courthouse, and the documents reviewed
etings occurring in the Justice Center room during that period.



CASS COUNTY COMMISSIONERS' COURT
100 E. HOUSTON ST.
LINDEN, TEXAS

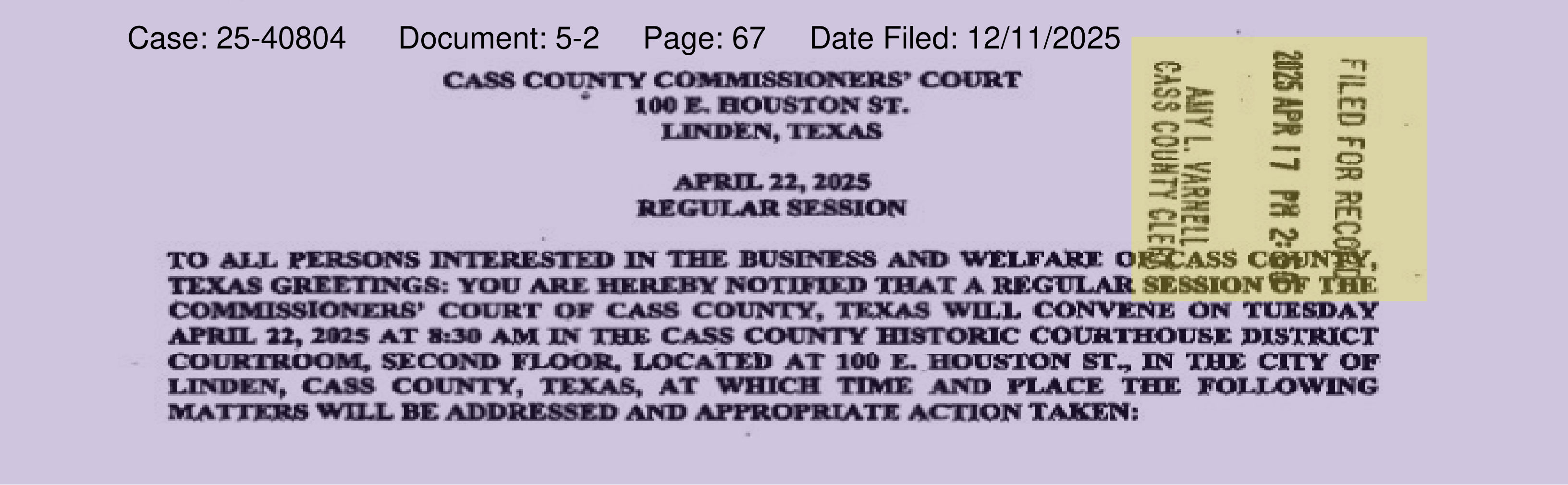
MARCH 25, 2025
REGULAR SESSION

O ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, EXAS GREETINGS: YOU ARE HEREBY NOTIFIED THAT A REGULAR SESSION OF THE OMMISSIONERS' COURT OF CASS COUNTY, TEXAS WILL CONVENE ON TUESDAY ARCH 25, 2025 AT 8:30 AM IN THE CASS COUNTY HISTORIC COURTHOUSE DISTRICT OURTROOM, SECOND FLOOR, LOCATED AT 100 E. HOUSTON ST., IN THE CITY OF INDEN, CASS COUNTY, TEXAS, AT WHICH TIME AND PLACE THE FOLLOWING ATTERS WILL BE ADDRESSED AND APPROPRIATE ACTION TAKEN:

March 25, 2025 agenda lists the Historic Courthouse at 100 E. Houston Street as the ting location. The template header appears in the same format as earlier agendas used for tings held in the Justice Center.

record reviewed for prior years contains agendas and minutes that show Commissioners rt sessions occurring at the Justice Center. No document in the record set shows an order cating the Commissioners Court to the Justice Center or an earlier order returning it to the rthouse.

*With the March 11th order unexecuted , this purple represents an unknown venue location*



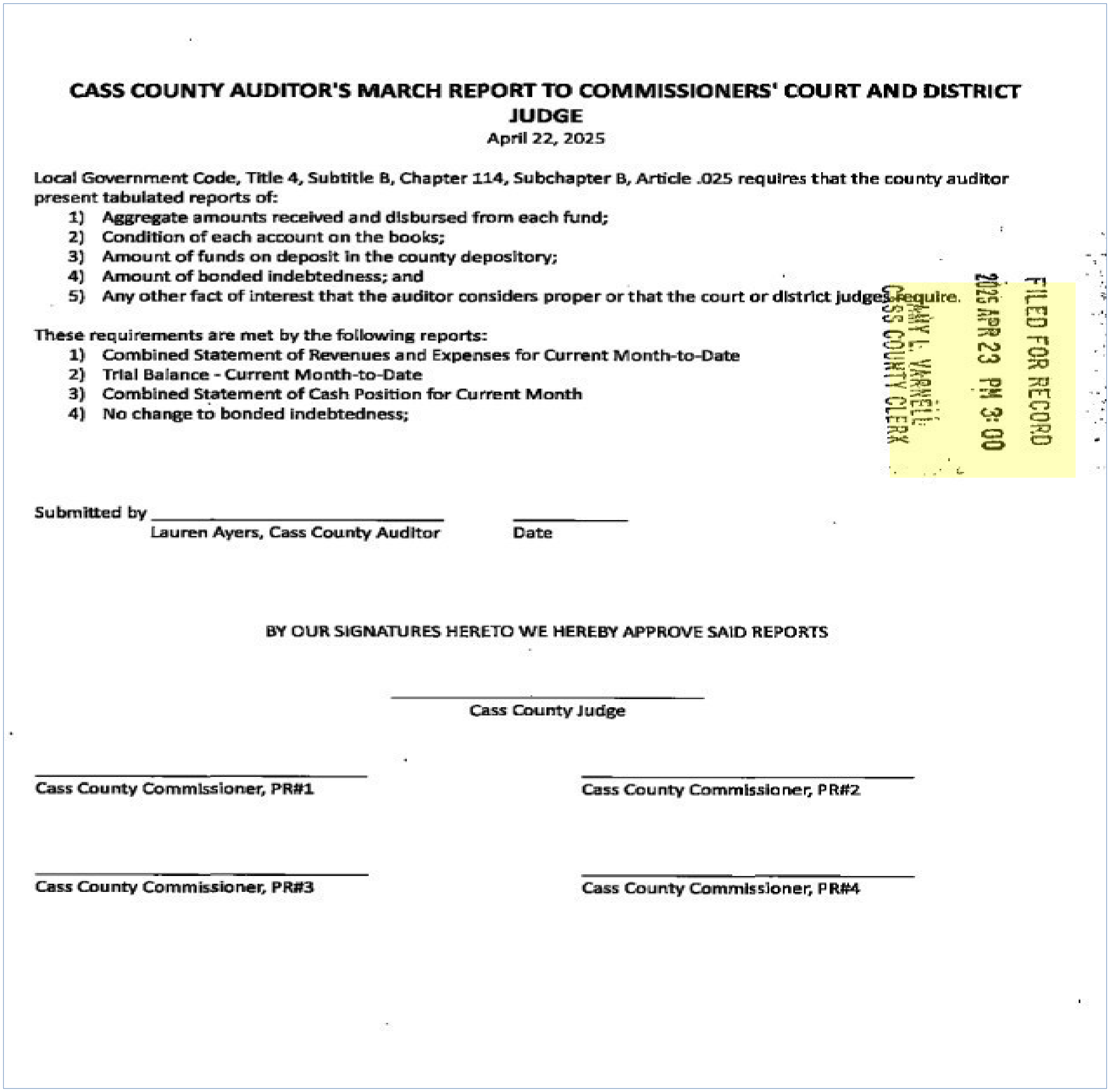
**CASS COUNTY COMMISSIONERS' COURT**
**100 E. HOUSTON ST.**
**LINDEN, TEXAS**

**APRIL 22, 2025**
**REGULAR SESSION**

**TO ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS GREETINGS: YOU ARE HEREBY NOTIFIED THAT A REGULAR SESSION OF THE COMMISSIONERS' COURT OF CASS COUNTY, TEXAS WILL CONVENE ON TUESDAY APRIL 22, 2025 AT 8:30 AM IN THE CASS COUNTY HISTORIC COURTHOUSE DISTRICT COURTROOM, SECOND FLOOR, LOCATED AT 100 E. HOUSTON ST., IN THE CITY OF LINDEN, CASS COUNTY, TEXAS, AT WHICH TIME AND PLACE THE FOLLOWING MATTERS WILL BE ADDRESSED AND APPROPRIATE ACTION TAKEN:**

FILED FOR RECORD
2025 APR 17 PM 2:[illegible]
AMY L. VARNELL
CASS COUNTY CLERK

---



## CASS COUNTY AUDITOR'S MARCH REPORT TO COMMISSIONERS' COURT AND DISTRICT JUDGE

April 22, 2025

Local Government Code, Title 4, Subtitle B, Chapter 114, Subchapter B, Article .025 requires that the county auditor present tabulated reports of:

1) Aggregate amounts received and disbursed from each fund;
2) Condition of each account on the books;
3) Amount of funds on deposit in the county depository;
4) Amount of bonded indebtedness; and
5) Any other fact of interest that the auditor considers proper or that the court or district judges require.

These requirements are met by the following reports:

1) Combined Statement of Revenues and Expenses for Current Month-to-Date
2) Trial Balance - Current Month-to-Date
3) Combined Statement of Cash Position for Current Month
4) No change to bonded indebtedness;

FILED FOR RECORD
2025 APR 23 PM 3:00
AMY L. VARNELL
CASS COUNTY CLERK

Submitted by ______________________ ____________
Lauren Ayers, Cass County Auditor Date

BY OUR SIGNATURES HERETO WE HEREBY APPROVE SAID REPORTS

______________________
Cass County Judge

______________________
Cass County Commissioner, PR#1

______________________
Cass County Commissioner, PR#2

______________________
Cass County Commissioner, PR#3

______________________
Cass County Commissioner, PR#4

**CASS COUNTY COMMISSIONERS' COURT**
**100 E. HOUSTON ST.**
**LINDEN, TEXAS**

**JUNE 24, 2025**
**REGULAR SESSION**
**AMENDED AGENDA**

**ER AND TAKE APPROPRIATE ACTION REGARDING THE CREATION OF EMERGENCY SERVICES DISTRICT ORDERING IT TO BE PLACED ON THE NOVEMBER 4, 2025 GENERAL ELECTION IS APPROVED**

**ER AND TAKE APPROPRIATE ACTION REGARDING APPROVAL OF THE TREASURER'S MONTHLY AND ERLY REPORTS. PRESENTED BY MELISSA SHORES**

**DER AND TAKE APPROPRIATE ACTION REGARDING APPROVAL OF A RESOLUTION AUTHORIZING THE SSION OF A HOME INVESTMENT PARTNERSHIPS PROGRAM APPLICATION AND AUTHORIZING THE Y JUDGE TO ACT AS SIGNATORY AND AUTHORIZED REPRESENTATIVE**

**ER AND TAKE APPROPRIATE ACTION REGARDING APPROVAL OF THE COUNTY AUDITOR'S FINANCIAL T AND APPROVAL OF EXPENSES. PRESENTED BY AUDITOR LAUREN AYERS**

**IVE SESSION PURSUANT TO GOVERNMENT CODE 551.072; DELIBERATION REGARDING REAL RTY**

**ECUTIVE SESSION PURSUANT TO GOVERNMENT CODE 551.102**

APPROVED THIS THE 8 DAY OF July, 2025.

R. TRAVIS RANSOM
COUNTY JUDGE

BRETT FITTS
COMMISSIONER, PRECINCT 1

KEVIN YOUNG
COMMISSIONER, PRECINCT 2

DOUG LANCE
COMMISSIONER, PRECINCT 3

Darrell Godwin
DARRELL GODWIN
COMMISSIONER, PRECINCT 4

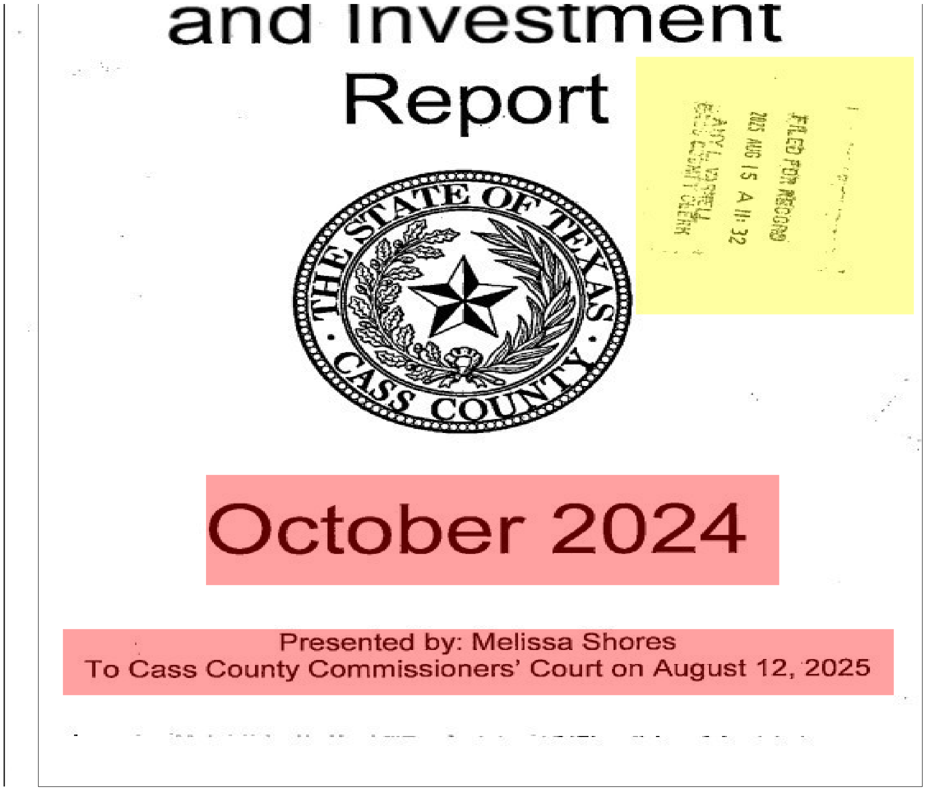
Attest:
Amy L Varnell
AMY L. VARNELL
CASS COUNTY CLERK

CASS COUNTY COMMISSIONERS' COURT
100 E. HOUSTON ST.
LINDEN, TEXAS

AUGUST 12, 2025
REGULAR SESSION

FILED FOR RECORD
2025 AUG -8 AM 8:04
AMY L. VARNELL
CASS COUNTY CLERK

LL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS TINGS: YOU ARE HEREBY NOTIFIED THAT A REGULAR SESSION OF THE COMMISSIONERS' T OF CASS COUNTY, TEXAS WILL CONVENE ON TUESDAY AUGUST 12, 2025 AT 8:30 AM IN ASS COUNTY HISTORIC COURTHOUSE DISTRICT COURTROOM, SECOND FLOOR, LOCATED 0 E. HOUSTON ST., IN THE CITY OF LINDEN, CASS COUNTY, TEXAS, AT WHICH TIME AND E THE FOLLOWING MATTERS WILL BE ADDRESSED AND APPROPRIATE ACTION TAKEN:



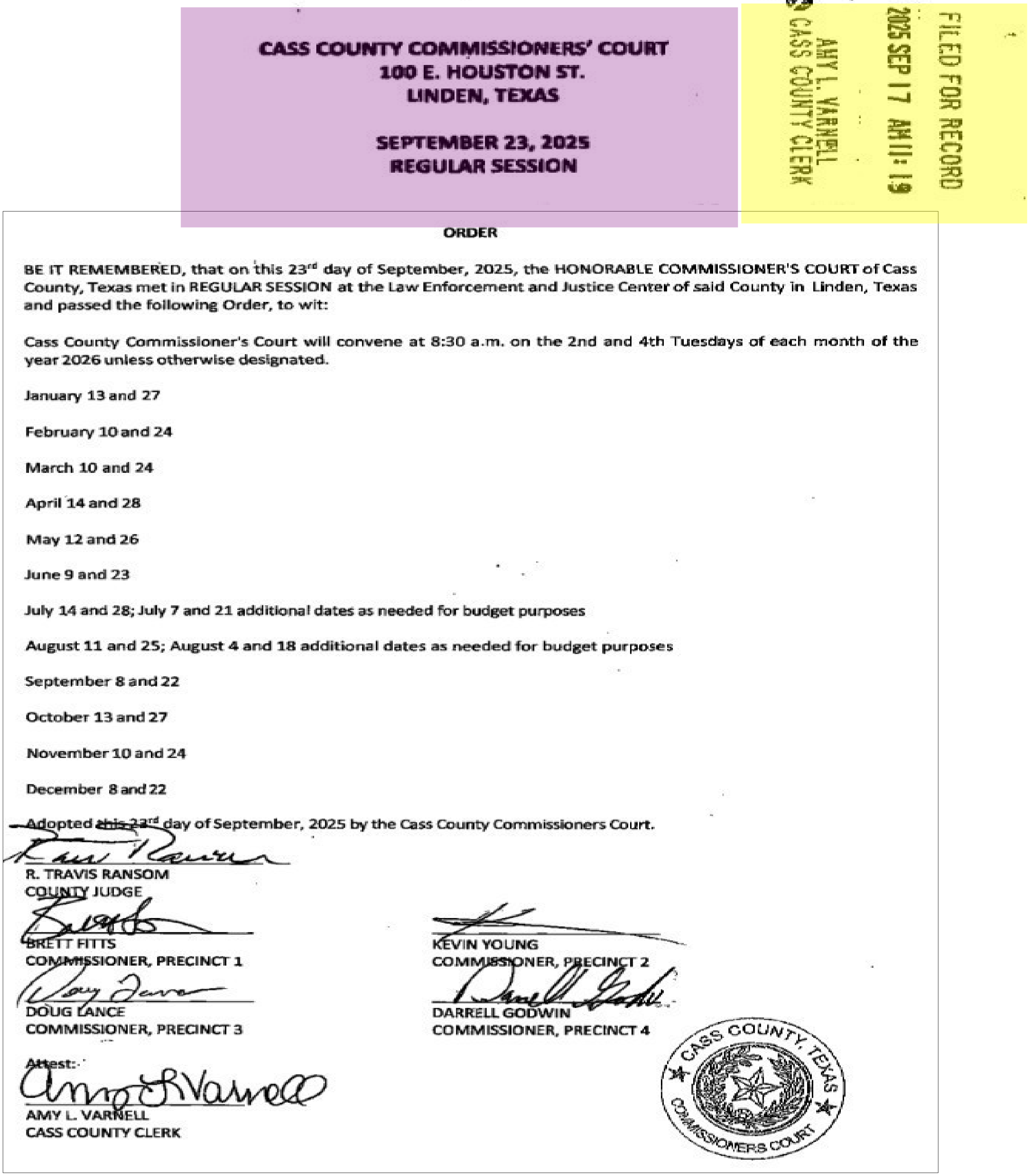
and Investment
Report

FILED FOR RECORD
2025 AUG 15 A 11:32
AMY L. VARNELL
CASS COUNTY CLERK

October 2024

Presented by: Melissa Shores
To Cass County Commissioners' Court on August 12, 2025

nancial documents in the record also appear in Commissioners Court meetings months eir stated reporting periods, and several originate from prior fiscal years. The record these reports being introduced and filed during sessions held at 100 E. Houston Street.



**CASS COUNTY COMMISSIONERS' COURT**
**100 E. HOUSTON ST.**
**LINDEN, TEXAS**

**SEPTEMBER 23, 2025**
**REGULAR SESSION**

FILED FOR RECORD
2025 SEP 17 AM 11:19
AMY L. VARNELL
CASS COUNTY CLERK

## ORDER

BE IT REMEMBERED, that on this 23rd day of September, 2025, the HONORABLE COMMISSIONER'S COURT of Cass County, Texas met in REGULAR SESSION at the Law Enforcement and Justice Center of said County in Linden, Texas and passed the following Order, to wit:

Cass County Commissioner's Court will convene at 8:30 a.m. on the 2nd and 4th Tuesdays of each month of the year 2026 unless otherwise designated.

January 13 and 27

February 10 and 24

March 10 and 24

April 14 and 28

May 12 and 26

June 9 and 23

July 14 and 28; July 7 and 21 additional dates as needed for budget purposes

August 11 and 25; August 4 and 18 additional dates as needed for budget purposes

September 8 and 22

October 13 and 27

November 10 and 24

December 8 and 22

Adopted this 23rd day of September, 2025 by the Cass County Commissioners Court.

R. TRAVIS RANSOM
COUNTY JUDGE

BRETT FITTS
COMMISSIONER, PRECINCT 1

KEVIN YOUNG
COMMISSIONER, PRECINCT 2

DOUG LANCE
COMMISSIONER, PRECINCT 3

DARRELL GODWIN
COMMISSIONER, PRECINCT 4

Attest:

Amy L Varnell
AMY L. VARNELL
CASS COUNTY CLERK

cation as the site for all Commissioners Court sessions. The record contains
ier order designating the Justice Center as the county seat or relocating the
from the courthouse.

# CASS COUNTY COMMISSIONERS' COURT
100 E. HOUSTON ST.
LINDEN, TEXAS

OCTOBER 28, 2025
REGULAR SESSION

FILED FOR RECORD
2025 OCT 22 PM 3:04
AMY L. VARNELL
CASS COUNTY CLERK

**TO ALL PERSONS INTERESTED IN THE BUSINESS AND WELFARE OF CASS COUNTY, TEXAS GREETINGS: YOU ARE HEREBY NOTIFIED THAT A REGULAR SESSION OF THE COMMISSIONERS' COURT OF CASS COUNTY, TEXAS WILL CONVENE ON TUESDAY OCTOBER 28, 2025 AT 8:30 AM IN THE CASS COUNTY HISTORIC COURTHOUSE DISTRICT COURTROOM, SECOND FLOOR, LOCATED AT 100 E. HOUSTON ST., IN THE CITY OF LINDEN, CASS COUNTY, TEXAS, AT WHICH TIME AND PLACE THE FOLLOWING MATTERS WILL BE ADDRESSED AND APPROPRIATE ACTION TAKEN:**

**I. Call meeting to order**

**II. Invocation by Commissioner Kevin Young, Precinct 2**

**III. Flag Salute to the United States Flag and the Texas Flag**

**IV. Public Forum**

Citizens to be heard in the public forum must list their name on the sign-in sheet before the Commissioners Court session. The purpose of this item is to allow citizens an opportunity to address the Commissioners Court on issues not listed on the agenda. Citizens wishing to testify on, for, or against a specific agenda item must sign in and will be called during that agenda item.

**V.** [redacted]

All matters listed under Consent Agenda are considered to be routine by the Commissioners Court and will be enacted by one motion without separate discussion. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

1. Consider and take appropriate action regarding approval of the minutes from the October 14, 2025 Commissioners Court Regular Session.
2. Consider and take appropriate action regarding approval of bond Continuation Certificate for Kaylee Sutton as Assistant Auditor.
3. Matter of Record-Monthly reports for September 2025 from Constable Pct. 1; Litter Abatement Officer; and Douglassville & Naples fire departments.

**VI.** [redacted]

1. Notification by Sheriff Larry Rowe regarding additional funds added to the part-time deputy line item.
2. Consider and take appropriate action regarding approval of the certification of the FY 2025 Tax Roll. Presented by Angela Young.
3. Consider and take appropriate action regarding approval of the FY 2025 budget amendments. Presented by Lauren Ayers.
4. Consider and take appropriate action regarding approval of the Auditor's monthly financial report for September 2025. Presented by Lauren Ayers.
5. Consider and take appropriate action regarding approval of the Treasurer's monthly reports and investment reports. Presented by Melissa Shores.
6. Consider and take appropriate action regarding approval of the request for two District Attorney administrative personnel to attend the TDCAA Key Personnel and Crime Victim's Coordinator Conference in Grapevine November 5-7, 2025.
7. Consider and take appropriate action regarding approval of phone and internet contract renewal with ETEX for the Historic Courthouse, Justice Center, and Jail. Presented by Lauren Ayers.
8. Consider and take appropriate action regarding approval of SB22 grant adjustments. Presented by Lauren Ayers.
9. Consider and take appropriate action regarding approval of the County Auditor's financial report and approval of expenses. Presented by Auditor Lauren Ayers.

**VII.** [redacted]

1. Court Announcements

**VIII. ADJOURNMENT**

**NOTE: Cass County Commissioners Court reserves the right to conduct closed meetings on any agenda item in accordance with 551.071 – 551.076 of the Texas Government Code.**

**Respectfully,**

**R. TRAVIS RANSOM**
**CASS COUNTY JUDGE**

rtify that the above notice of meeting is a true and correct copy of said notice, and that same s posted on the bulletin board and on the north door of the North Building of the Cass County v Enforcement and Justice Center Building, a place readily accessible to the general public at times in accordance with Texas Government Code Chapter 551.

sted: October 22, 2025 at 2:52pm By: Sharon Brown

his work continues.
he Commissioners Court did not hold any regular session or workshop in
ovember 2025.
s of December 9th, the most recent meeting reflected in the public record was
eld on October 28.

he material presented in this compilation represents only a portion of the
vailable record.
every unsigned or incomplete entry were included, the document would
xtend well beyond one hundred pages.
his selection is provided to illustrate the pattern that appears in the record
uring the relevant period.

## FINAL REMARKS

two distinct emergencies presently before the Court. Mandamus A addresses the structural s that prevent the formation of a lawful venue. Mandamus B concerns the immediate al emergency involving the property at 122 W. Houston.

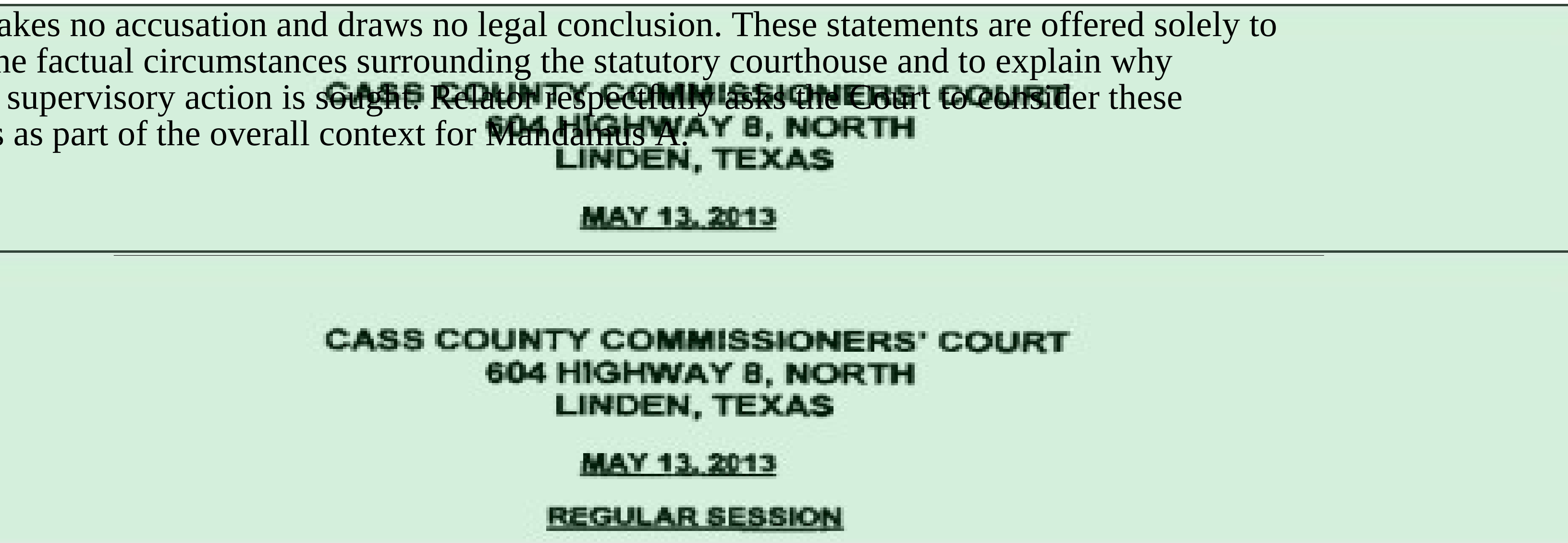
ect to Mandamus A, Relator states the following facts.

than a decade, the courthouse located at 100 E. Houston Street has operated without ersonnel. During this period, the building has remained open to the public, and essential nctions tied to the statutory seat have continued without the protections contemplated by

ff's Office has been aware of this condition for many years. Public records reflect ns regarding security needs at the courthouse and possible measures that could be ted. Relator attaches as an exhibit the May 13, 2013 Commissioners' Court minutes these discussions.

s observed that no security measures have been placed at the courthouse since that time. has informed Relator that requests for courthouse security have been made repeatedly. uests remain unresolved. The result is a longstanding condition in which both personnel ical records inside the courthouse remain unprotected.

akes no accusation and draws no legal conclusion. These statements are offered solely to he factual circumstances surrounding the statutory courthouse and to explain why supervisory action is sought. Relator respectfully asks the Court to consider these s as part of the overall context for Mandamus A.



CASS COUNTY COMMISSIONERS' COURT
604 HIGHWAY 8, NORTH
LINDEN, TEXAS

MAY 13, 2013

**CASS COUNTY COMMISSIONERS' COURT**
**604 HIGHWAY 8, NORTH**
**LINDEN, TEXAS**

**MAY 13, 2013**

**REGULAR SESSION**

**GE'S REPORT**

e McMichael spoke to the court about using the District Courtroom at the old courthouse to hold

# ADDITIONAL CONTEXT

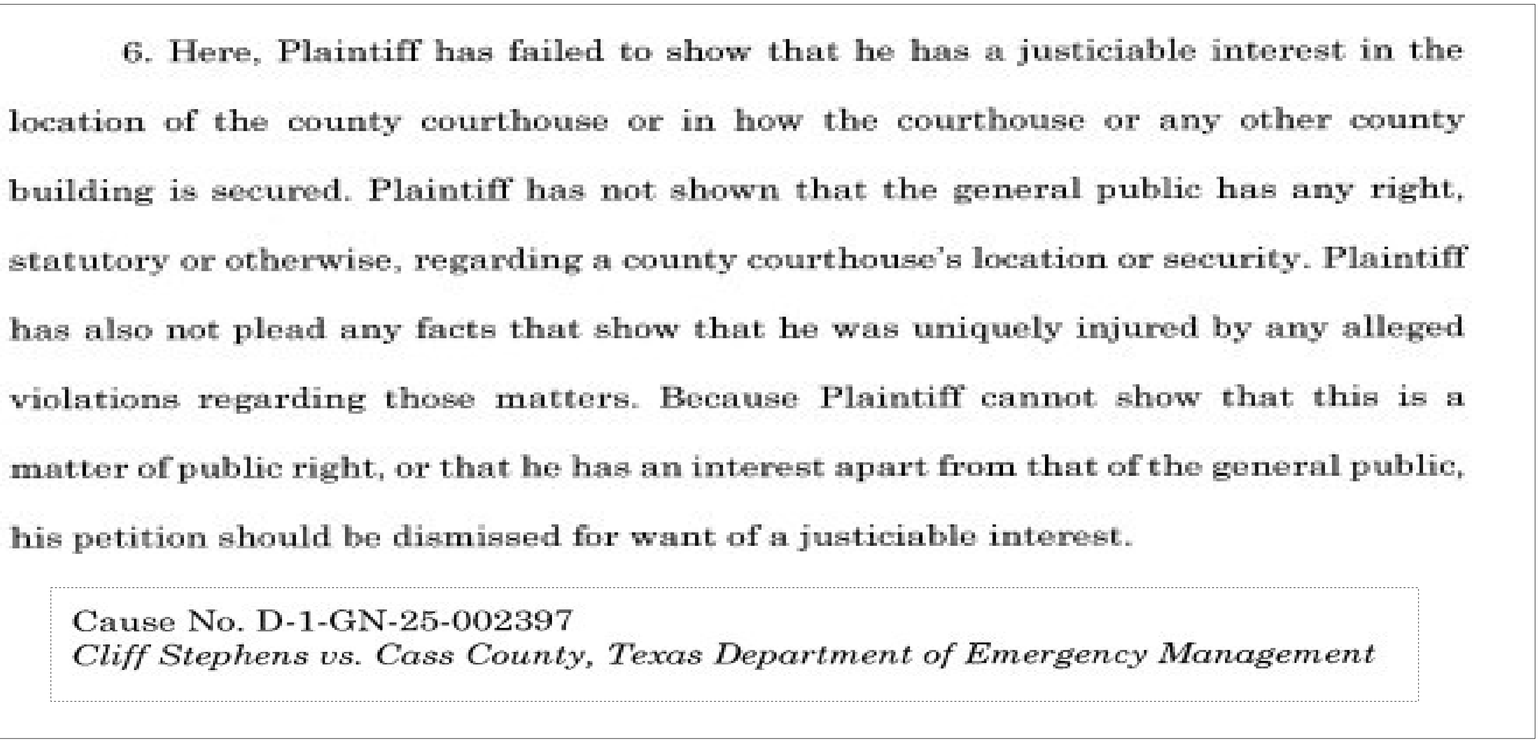
c records show that courthouse security has been a continuing subject of discussion in County for more than a decade. The Commissioners' Court minutes from May 13, reflect that the Sheriff informed county officials that he was reviewing options for ding security at the courthouse located at 100 East Houston Street. No security ures were implemented following that discussion.

or has observed that the courthouse remains open to the public without security. The k has informed Relator that courthouse security has been requested multiple times over ears without resolution.

e state proceeding related to these events, the district court dismissed Relator's filing on asis that members of the public have no justiciable interest in the location of the house or in how courthouse security is provided. The dismissal order states:

ntiff has failed to show that he has a justiciable interest in the location of the county house or in how the courthouse or any other county building is secured. Plaintiff has hown that the general public has any right, statutory or otherwise, regarding a county house's location or security… Because Plaintiff cannot show that this is a matter of c right… his petition should be dismissed for want of a justiciable interest."

e statements are included here solely to describe the context in which Relator seeks lamus relief. They reflect that courthouse security conditions have been known to ty officials for many years, that no measures have been implemented, and that no ial forum within the county system has recognized a pathway for addressing these erns.



6. Here, Plaintiff has failed to show that he has a justiciable interest in the location of the county courthouse or in how the courthouse or any other county building is secured. Plaintiff has not shown that the general public has any right, statutory or otherwise, regarding a county courthouse's location or security. Plaintiff has also not plead any facts that show that he was uniquely injured by any alleged violations regarding those matters. Because Plaintiff cannot show that this is a matter of public right, or that he has an interest apart from that of the general public, his petition should be dismissed for want of a justiciable interest.

Cause No. D-1-GN-25-002397
*Cliff Stephens vs. Cass County, Texas Department of Emergency Management*

## PRIMARY EMERGENCY

tes the following facts regarding the operational emergency.

intains an Emergency Record located inside the statutory courthouse at 100 East
reet in Linden, Texas. This record was established to document an engineer-identified
hazard and to ensure that all emergency-related communications remained housed within
seat courthouse.

6, 2025, Relator filed a written declaration of emergency inside the courthouse. The
requested immediate communication concerning the engineer's findings that a
ailure was imminent and that collapse could lead to a fire risk affecting the surrounding

three days following the filing of the declaration, Relator did not receive a response
y officials. Relator subsequently opened a case with the Texas Department of
Management ("TDEM") to facilitate communication of the engineer's findings to
dership.

nsmitted the emergency material to the appropriate county officials. As of the date of this
e than two hundred days have passed without acknowledgment of TDEM's
ation or the Emergency Record filed at the courthouse. Relator has continued to maintain
in its original location inside the statutory courthouse.

es not offer conclusions regarding the conduct or intent of any official. These statements
ed solely to describe the sequence of events following the filing of the emergency
, the communications with TDEM, and the absence of any response to those
ations over a period exceeding two hundred days.

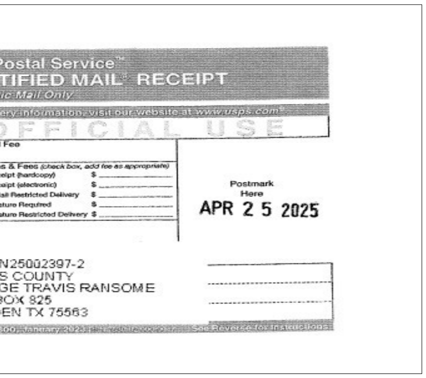
attempted to serve the Cass County Judge at the address provided by the county for official
ndence: P.O. Box 825 in Linden, Texas. This address appears on state and federal records
oint of contact for the County Judge, including for matters involving emergency
ication.

fied mail return receipt for the Emergency Record was signed by an individual identified
n Alexander." Relator has no information indicating that this individual is employed by, or
associated with, the Office of the County Judge. The receipt does not identify any physical
location where the County Judge can be personally served.

n the information available, all mail addressed to the County Judge is routed through a
mail handling area rather than a dedicated judicial office. As a result, there is no publicly
d physical location where emergency filings, judicial communications, or time-sensitive
s can be delivered directly to the County Judge.

offers no conclusion about the operation of county offices. These statements describe only
ner in which emergency communications were routed and received, and the absence of a
office with personnel authorized to accept judicial documents on behalf of the County

cts demonstrate a condition in which essential judicial communications, including
cy filings, cannot reliably reach the County Judge. This structural barrier prevents the
operation of emergency procedures and leaves Relator without any method to obtain
edgment or review within the county system.



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OFFICIAL USE

l Fee

s & Fees (check box, add fee as appropriate)
eipt (hardcopy) $
eipt (electronic) $
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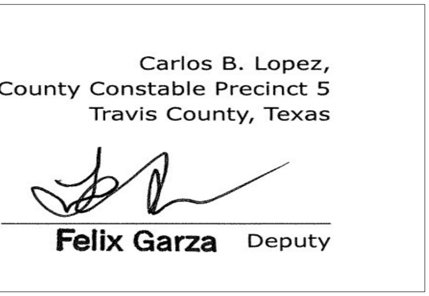
ature Required $
ature Restricted Delivery $

Postmark
Here
APR 25 2025

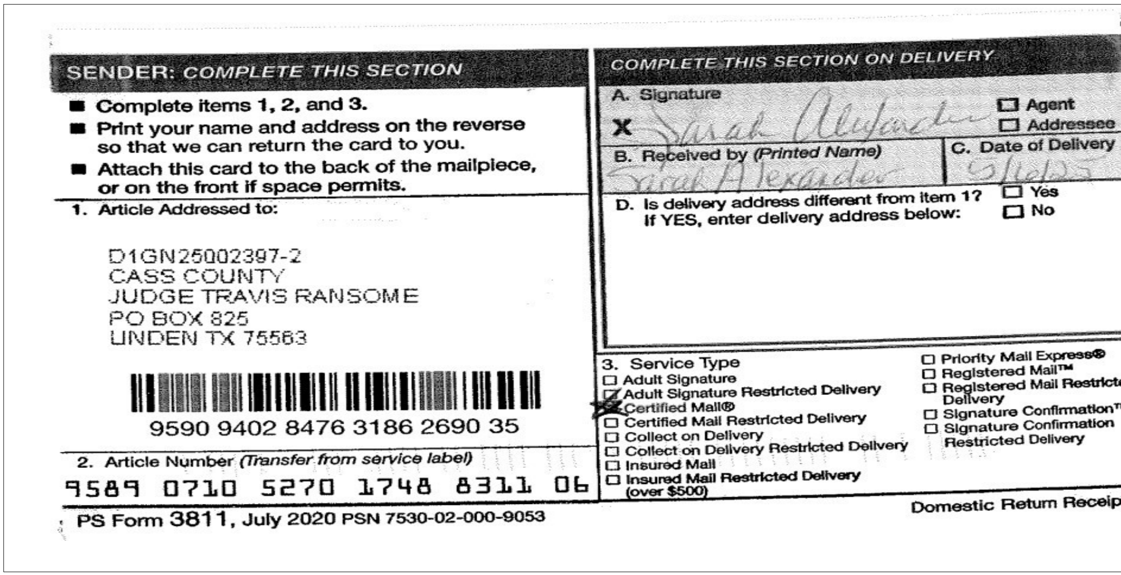
N25002397-2
S COUNTY
GE TRAVIS RANSOME
OX 825
EN TX 75563

See Reverse for Instructions



Carlos B. Lopez,
County Constable Precinct 5
Travis County, Texas

**Felix Garza** Deputy



SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

D1GN25002397-2
CASS COUNTY
JUDGE TRAVIS RANSOME
PO BOX 825
LINDEN TX 75563

9590 9402 8476 3186 2690 35

2. Article Number *(Transfer from service label)*

9589 0710 5270 1748 8311 06

PS Form **3811**, July 2020 PSN 7530-02-000-9053

*COMPLETE THIS SECTION ON DELIVERY*

A. Signature
X Sarah Alexander ☐ Agent ☐ Addressee

B. Received by *(Printed Name)* Sarah Alexander

C. Date of Delivery 5/10/25

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☐ Adult Signature
☑ Adult Signature Restricted Delivery
☒ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Insured Mail
☐ Insured Mail Restricted Delivery (over $500)
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricte Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

Domestic Return Receip

## IDAVIT EXECUTION

iff Stephens, declare under penalty of perjury that the foregoing statements are true and
ct to the best of my knowledge.

uted on this 9th day of December, 2025.

liff Stephens

Stephens

tor

No. 25-40804

---

# In The United States Court Of Appeals

# For The Fifth Circuit

**In RE: CLIFF STEPHENS, Petitioner**

---

## Supplement to Petition for Writ of Mandamus

Respectfully submitted,

/s/ Cliff Stephens

Address on file

Email on file

Phone on file

Date: December 22, 2025

## I. Identity of Affiant and Limited Purpose of Affidavit

Affiant is the petitioner in Mandamus No. 25-40804 pending before the Fifth Court of Appeals.

Affiant submits an affidavit for record *correction*.

Affiant acts in a personal capacity.

Affiant alleges no misconduct.

Affidavit serves a limited purpose.

Purpose is clarification of public record availability.

Purpose is clarification of public record *timing*.

## II. Scope of Statements Addressed and Clarified

Affiant addresses prior statements concerning the condition of the public record.

Statements concerned public availability of records.

Statements concerned public *observability* of records.

Statements concerned timing of availability.

Statements did not address substance of actions taken.

Affidavit clarifies scope.

## III. Condition of the Public Record as of December 9, 2025

As of December 9, 2025, affiant reviewed the public record.

Review relied on publicly accessible sources.

Review relied on public-facing county interfaces.

The public record reflected no posted agendas for November or December meetings 2025.

The public record reflected no posted minutes for November or December meetings 2025.

The public record reflected no rolling docket entries for that period.

The public record showed a scheduling calendar only.

The calendar did not show posting dates.

The calendar did not show posting times.

The calendar did not show certification details.

No public interface displayed a contemporaneous audit trail.

No public interface displayed incremental publication history.

No public interface displayed time-stamped availability.

Affiant made statements based on this condition.

Statements were accurate on December 9, 2025.

## IV. Delivery of Notice to the Cass County Clerk

On December 15, 2025, affiant delivered notice to the Cass County Clerk.

Notice consisted of The Affidavit of Venue Failure.

Affidavit stated that no public documents had been updated as of December 9, 2025.

Delivery was informational.

Delivery was corrective.

Delivery was not adversarial.

Delivery sought review of record condition.

Notice preceded any subsequent changes to public-facing records.

## V. Subsequent Batch Appearance of Records

After delivery of notice, additional records appeared in public-facing systems.

Records appeared within days of notice.

Records reflected meetings from multiple dates.

Records appeared together.

Records did not appear incrementally.

Records did not appear over time.

Public interfaces displayed multiple documents at once.

Public interfaces did not display posting sequence.

Affiant observed this appearance after notice.

Affiant records sequence only.

## VI. Observable Characteristics of Record Release

Released records shared uniform file formats.

Released records shared similar rendering characteristics.

Released records displayed consistent visual presentation.

Metadata reflected clustered creation times.

Metadata reflected clustered modification times.

Records appeared as scanned or flattened files.

Records lacked individual publication markers.

Records lacked visible version history.

Characteristics were observable on the public record.

Observations required no inference.

## VII. Clarification Regarding Existence of Meetings and Documents

Affiant did not deny existence of meetings.

Affiant does not deny existence of documents.

Affidavit addresses public availability only.

Affidavit addresses public observability only.

Affidavit addresses timing of availability only.

Affidavit does not address substance of actions taken.

Affidavit does not address validity of proceedings.

Affidavit remains corrective in scope.

## VIII. Effect of Post-Notice Batch Release on Interpretation of Prior Statements

Later appearance of records does not alter prior statements.

Later appearance of records does not contradict prior statements.

Prior statements must be read as time bound.

Accuracy is measured at time of statement.

Accuracy is measured by public record condition.

Accuracy is not measured by later releases.

Batch release occurred after statements were made.

Batch release cannot retroactively change record condition.

Clarification prevents misinterpretation.

## IX. Limiting Statement and Reservation of Rights

Affidavit is submitted for record correction only.

Affidavit seeks no relief.

Affidavit requests no findings.

Affidavit implies no causation.

Affidavit expands no claims.

Affiant reserves all rights.

Reservation includes procedural rights.

Reservation includes substantive rights.

## X. Verification

Affiant declares that the foregoing statements are true and correct.

Statements are based on personal knowledge.

Statements are made under penalty of perjury pursuant to Texas Civil Practice and Remedies Code § 132.001.

Affiant executed this declaration voluntarily.

Affiant understands this declaration may be relied upon by the Court.

## UNSWORN DECLARATION

I declare under penalty of perjury that the foregoing statements are true and correct.

Executed in the State of Texas on this 22 day of December, 2025.

Cliff Stephens

Cliff Stephens

Affiant

ENDIX INDEX

ndix A - Public-Facing Record as of December 19, 2025

ains screenshots and captures of Cass County's publicly accessible dockets, notices, and d interfaces as they appeared on December 19, 2025, reflecting the record available to the c at that time.

ndix B - County Commissioners Metadata Analysis (Cass County and Harrison County)

ains metadata analysis of County Commissioners Court filings, comparing Cass County ds with Harrison County records to evaluate file format, timing, and posting practices.

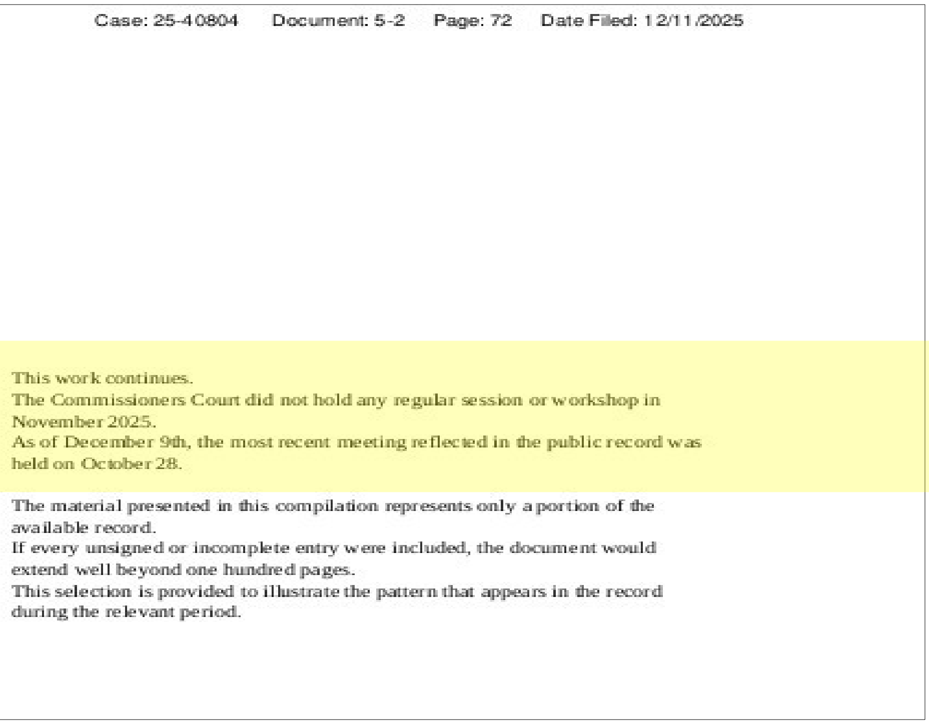
ndix C - Publicly Available Administrative Materials (Bowie County Reference)

ains publicly available administrative materials, including correspondence and court-facing mentation, with Bowie County cited for reference regarding administrative practices in the ce of local rules.

ndix D - Direct County Comparison (Cass, Marion, and Morris Counties)

ains side-by-side comparisons of Cass County, Marion County, and Morris County addressing house designation, record accessibility, and public-facing administrative structure.

NDIX A : PUBLIC FACING RECORD AS OF DECEMBER 19th, 2025.
ILIGHTED BATCHED FILES AFTER DECEMBER 9th )

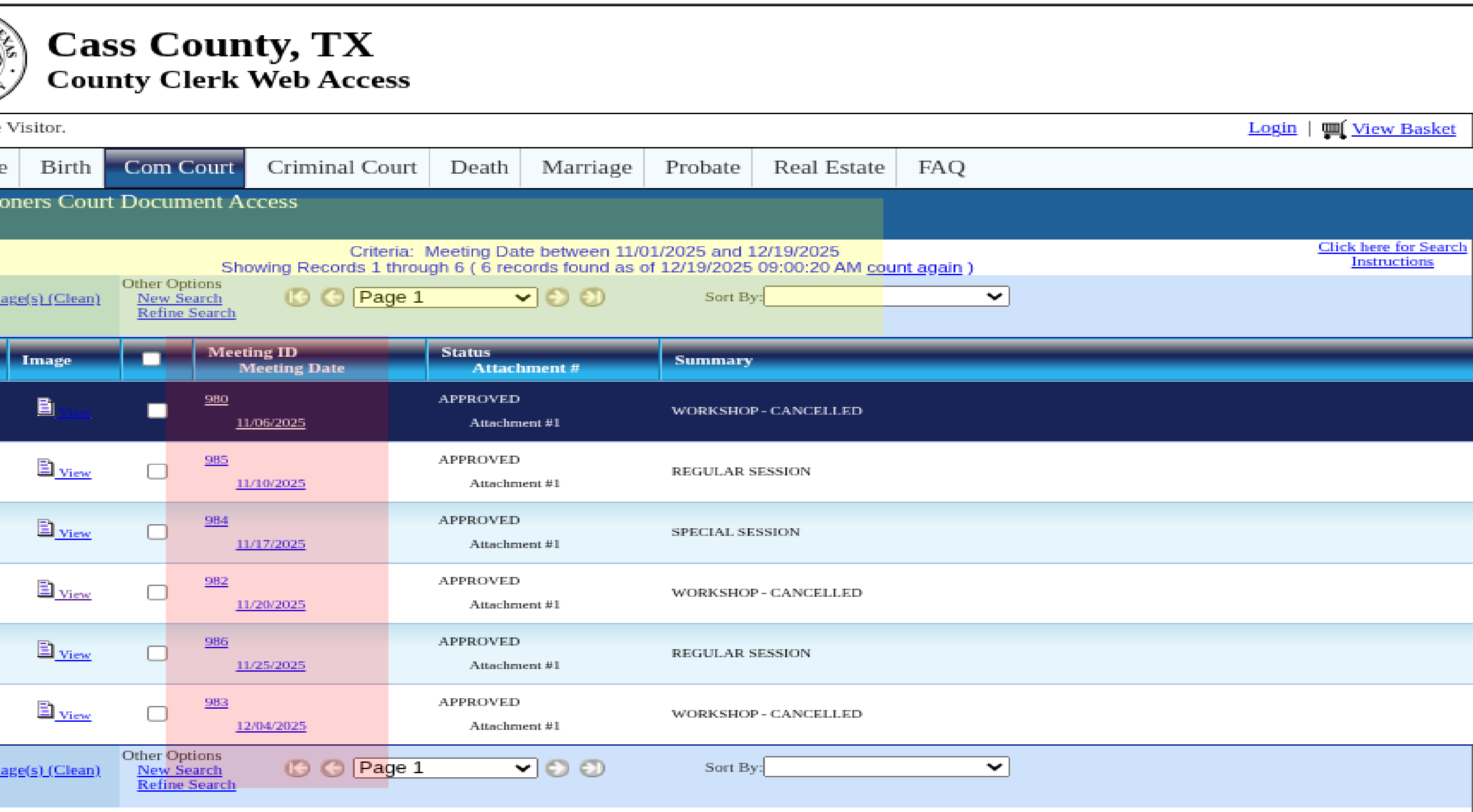


This work continues.
The Commissioners Court did not hold any regular session or workshop in November 2025.
As of December 9th, the most recent meeting reflected in the public record was held on October 28.

The material presented in this compilation represents only a portion of the available record.
If every unsigned or incomplete entry were included, the document would extend well beyond one hundred pages.
This selection is provided to illustrate the pattern that appears in the record during the relevant period.

*"The Commissioners Court did not hold any regular session or workshop in November 2025.*

*As of December 9th, the most recent meeting reflected in the public record was held on October 28."*



**Cass County, TX**
**County Clerk Web Access**

Visitor.

Login | View Basket

e
Birth
Com Court
Criminal Court
Death
Marriage
Probate
Real Estate
FAQ

oners Court Document Access

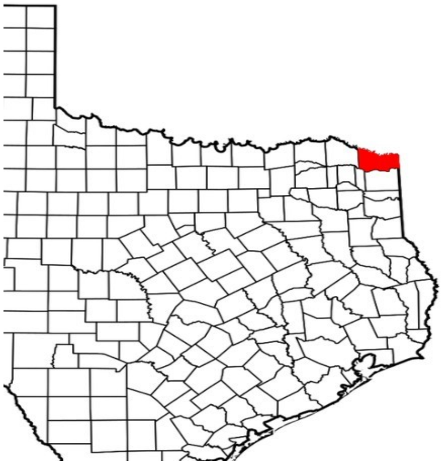
Criteria: Meeting Date between 11/01/2025 and 12/19/2025
Showing Records 1 through 6 ( 6 records found as of 12/19/2025 09:00:20 AM count again )

Click here for Search Instructions
age(s) (Clean)
Other Options
New Search
Refine Search
Page 1
Sort By:

| Image | ☐ | Meeting ID<br>Meeting Date | Status<br>Attachment # | Summary |
|---|---|---|---|---|
| View | ☐ | 980<br>11/06/2025 | APPROVED<br>Attachment #1 | WORKSHOP - CANCELLED |
| View | ☐ | 985<br>11/10/2025 | APPROVED<br>Attachment #1 | REGULAR SESSION |
| View | ☐ | 984<br>11/17/2025 | APPROVED<br>Attachment #1 | SPECIAL SESSION |
| View | ☐ | 982<br>11/20/2025 | APPROVED<br>Attachment #1 | WORKSHOP - CANCELLED |
| View | ☐ | 986<br>11/25/2025 | APPROVED<br>Attachment #1 | REGULAR SESSION |
| View | ☐ | 983<br>12/04/2025 | APPROVED<br>Attachment #1 | WORKSHOP - CANCELLED |

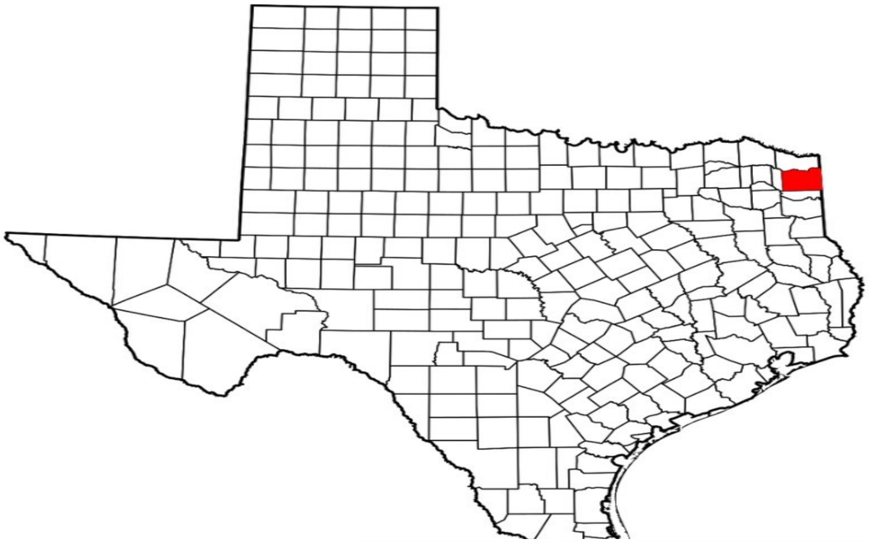
age(s) (Clean)
Other Options
New Search
Refine Search
Page 1
Sort By:

## DIX B.1 : COUNTY COMMISSIONERS COURT METADATA COMPARISON



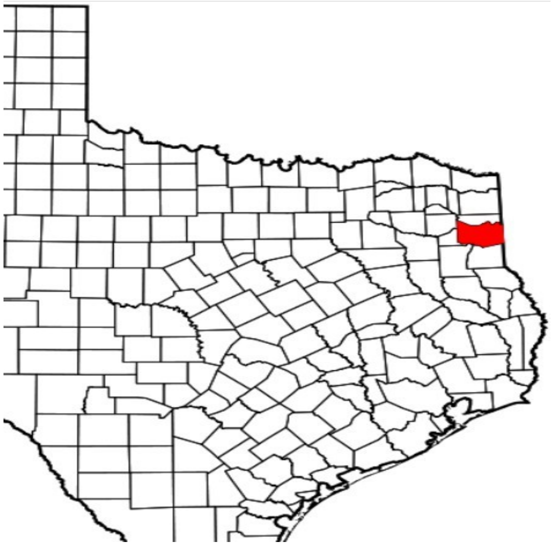
BOWIE COUNTY COURTHOUSE

Population 92,000



CASS COUNTY COURTHOUSE

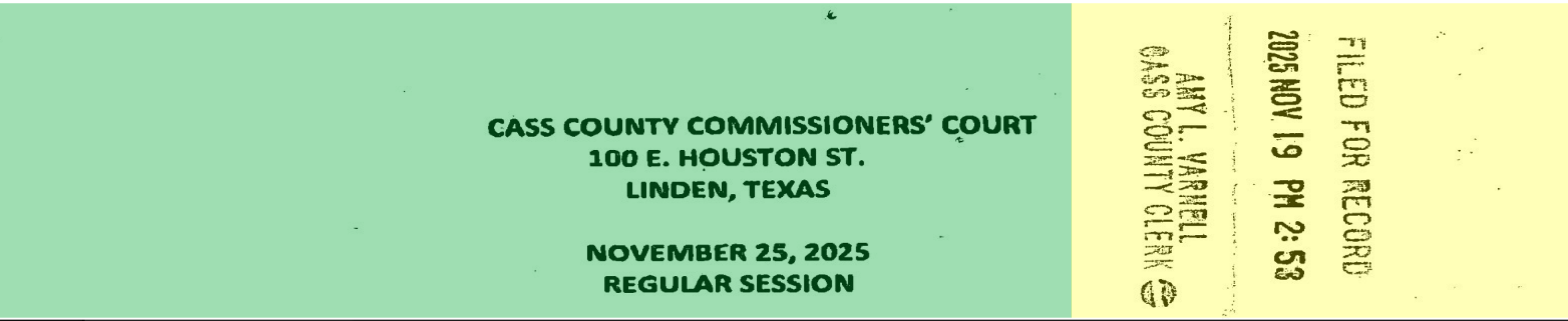
Population 28,000



HARRISON COUNTY HISTORIC COURTHOUSE

Population 66,000

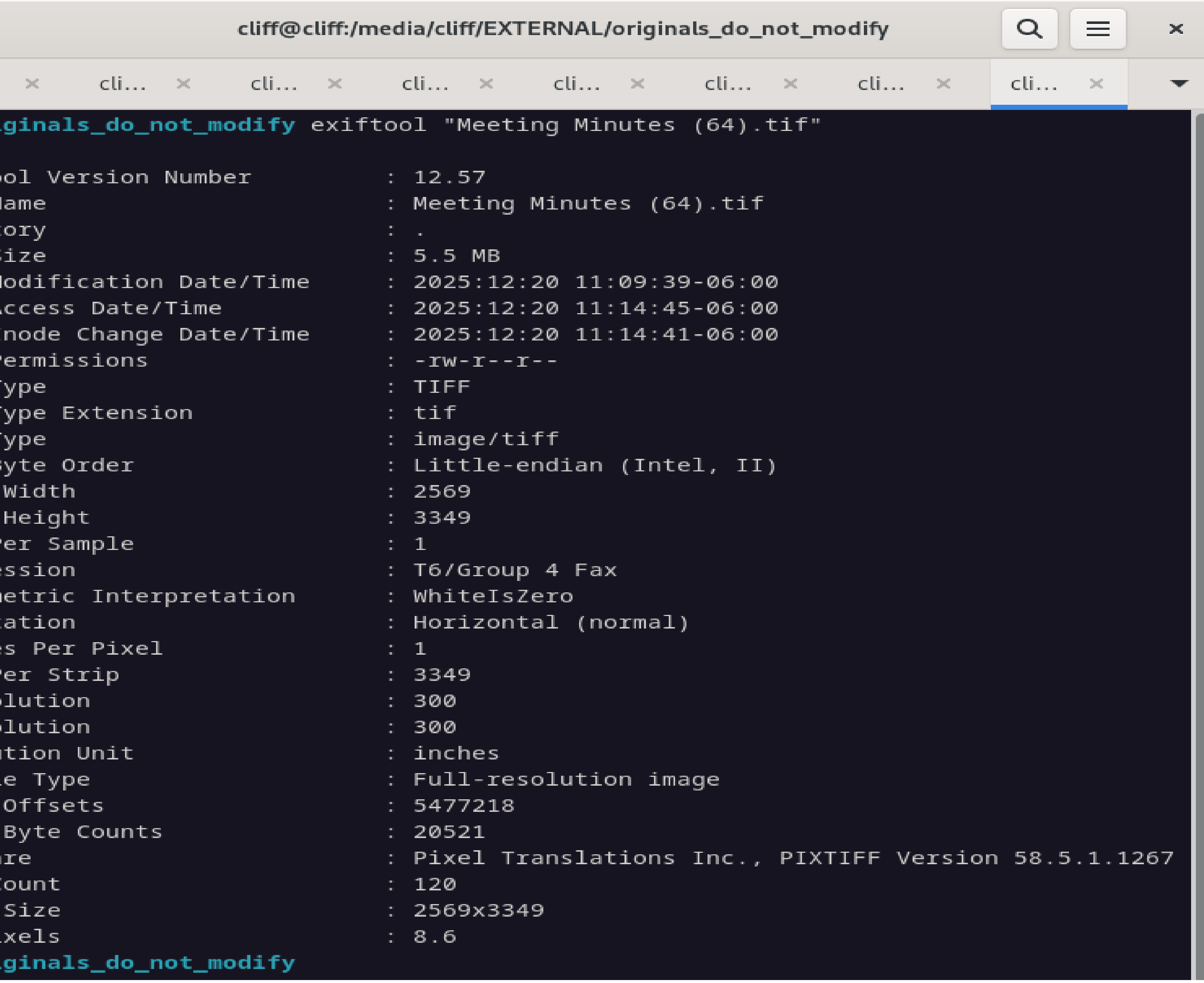
DIX B.3 : LAST PUBLICLY AVAILABLE MEETING MINUTES
COUNTY COMMISSIONERS COURT)



CASS COUNTY COMMISSIONERS' COURT
100 E. HOUSTON ST.
LINDEN, TEXAS

NOVEMBER 25, 2025
REGULAR SESSION

FILED FOR RECORD
2025 NOV 19 PM 2:53
AMY L. VARNELL
CASS COUNTY CLERK

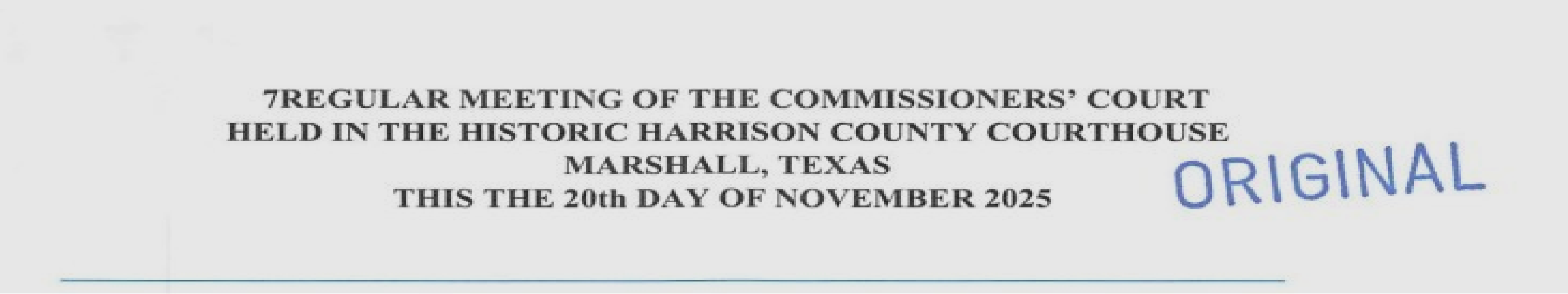


```
ginals_do_not_modify exiftool "Meeting Minutes (64).tif"

ol Version Number          : 12.57
ame                        : Meeting Minutes (64).tif
ory                        : .
ize                        : 5.5 MB
odification Date/Time      : 2025:12:20 11:09:39-06:00
ccess Date/Time            : 2025:12:20 11:14:45-06:00
node Change Date/Time      : 2025:12:20 11:14:41-06:00
ermissions                 : -rw-r--r--
ype                        : TIFF
ype Extension              : tif
ype                        : image/tiff
yte Order                  : Little-endian (Intel, II)
Width                      : 2569
Height                     : 3349
er Sample                  : 1
ession                     : T6/Group 4 Fax
etric Interpretation       : WhiteIsZero
ation                      : Horizontal (normal)
s Per Pixel                : 1
er Strip                   : 3349
lution                     : 300
lution                     : 300
tion Unit                  : inches
e Type                     : Full-resolution image
Offsets                    : 5477218
Byte Counts                : 20521
re                         : Pixel Translations Inc., PIXTIFF Version 58.5.1.1267
ount                       : 120
Size                       : 2569x3349
xels                       : 8.6
ginals_do_not_modify
```

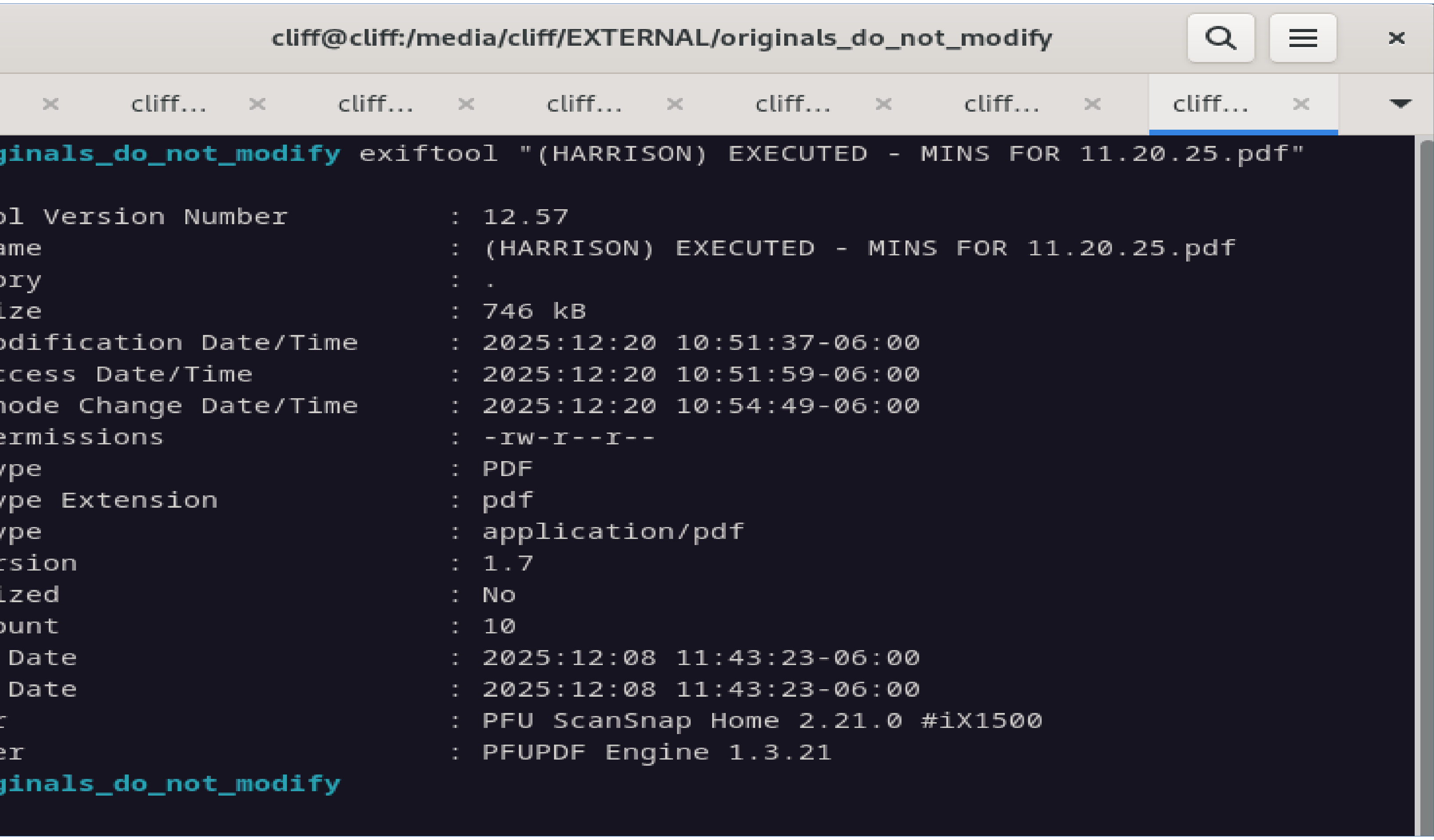
DIX B.4 : LAST PUBLICLY AVAILABLE MEETING MINUTES

ISON COUNTY COMMISSIONERS COURT) NOVEMBER 20th, 2025



7REGULAR MEETING OF THE COMMISSIONERS' COURT
HELD IN THE HISTORIC HARRISON COUNTY COURTHOUSE
MARSHALL, TEXAS
THIS THE 20th DAY OF NOVEMBER 2025

ORIGINAL



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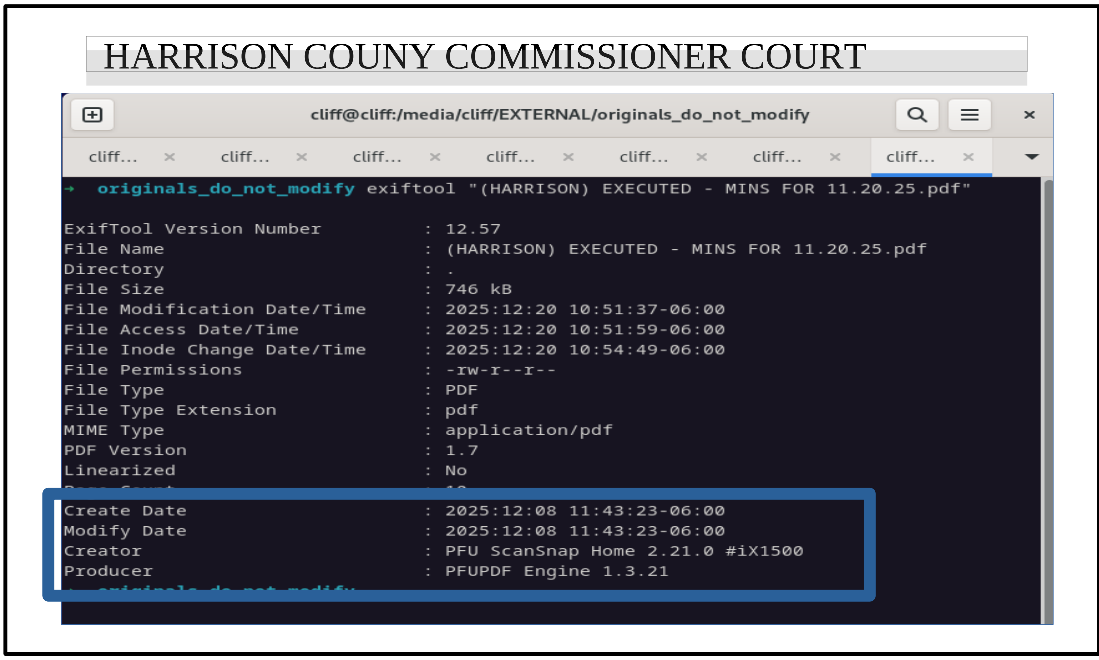
ory                        : .
ize                        : 746 kB
odification Date/Time      : 2025:12:20 10:51:37-06:00
ccess Date/Time            : 2025:12:20 10:51:59-06:00
node Change Date/Time      : 2025:12:20 10:54:49-06:00
ermissions                 : -rw-r--r--
ype                        : PDF
ype Extension              : pdf
ype                        : application/pdf
rsion                      : 1.7
ized                       : No
ount                       : 10
 Date                      : 2025:12:08 11:43:23-06:00
 Date                      : 2025:12:08 11:43:23-06:00
r                          : PFU ScanSnap Home 2.21.0 #iX1500
er                         : PFUPDF Engine 1.3.21
ginals_do_not_modify
```

ttps://www.harrisoncountytexas.gov/upload/page/11952/2025/EXECUTED%20-%20MINS%20FOR%2011.20.25.pdf

## DIX B.5 (1/3)



HARRISON COUNY COMMISSIONER COURT

cliff@cliff:/media/cliff/EXTERNAL/originals_do_not_modify
cliff… cliff… cliff… cliff… cliff… cliff… cliff…

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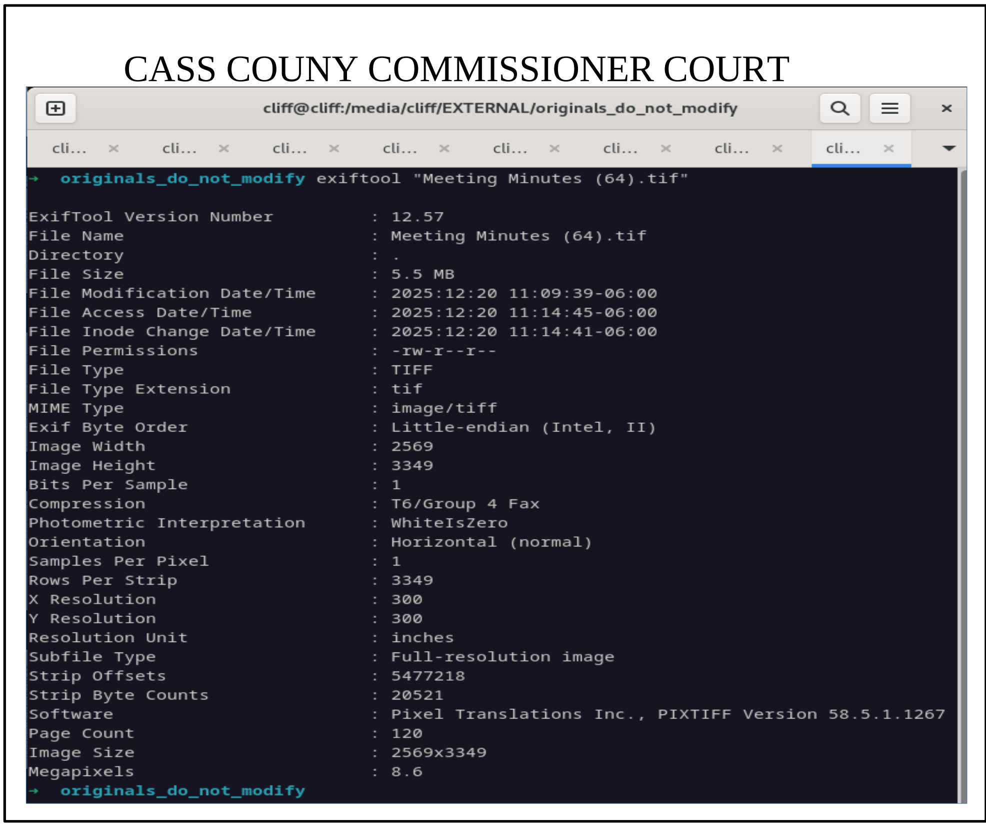
File Access Date/Time           : 2025:12:20 10:51:59-06:00
File Inode Change Date/Time     : 2025:12:20 10:54:49-06:00
File Permissions                : -rw-r--r--
File Type                       : PDF
File Type Extension             : pdf
MIME Type                       : application/pdf
PDF Version                     : 1.7
Linearized                      : No
Page Count                      : 10
Create Date                     : 2025:12:08 11:43:23-06:00
Modify Date                     : 2025:12:08 11:43:23-06:00
Creator                         : PFU ScanSnap Home 2.21.0 #iX1500
Producer                        : PFUPDF Engine 1.3.21
→ originals_do_not_modify
```

## MENT CREATOR

n County executed minutes disclose **creator and producer** metadata. Cass County g minutes do not disclose creator or producer metadata. Creator metadata identifies the esponsible for originating the document creation task. Producer metadata identifies the that finalized the document into its present form.

er, the creator and producer metadata establish the location of document creation within ord lifecycle.



CASS COUNY COMMISSIONER COURT

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cli… cli… cli… cli… cli… cli… cli… cli…

```
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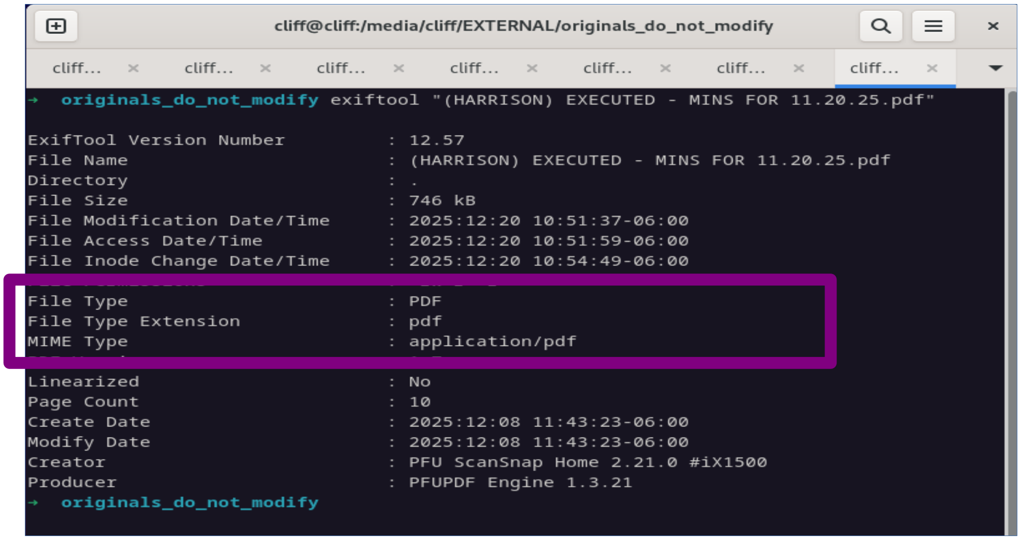
File Inode Change Date/Time     : 2025:12:20 11:14:41-06:00
File Permissions                : -rw-r--r--
File Type                       : TIFF
File Type Extension             : tif
MIME Type                       : image/tiff
Exif Byte Order                 : Little-endian (Intel, II)
Image Width                     : 2569
Image Height                    : 3349
Bits Per Sample                 : 1
Compression                     : T6/Group 4 Fax
Photometric Interpretation      : WhiteIsZero
Orientation                     : Horizontal (normal)
Samples Per Pixel               : 1
Rows Per Strip                  : 3349
X Resolution                    : 300
Y Resolution                    : 300
Resolution Unit                 : inches
Subfile Type                    : Full-resolution image
Strip Offsets                   : 5477218
Strip Byte Counts               : 20521
Software                        : Pixel Translations Inc., PIXTIFF Version 58.5.1.1267
Page Count                      : 120
Image Size                      : 2569x3349
Megapixels                      : 8.6
→ originals_do_not_modify
```

DIX B.5 (2 of 3)
NG

HARRISON COUNY COMMISSIONER COURT



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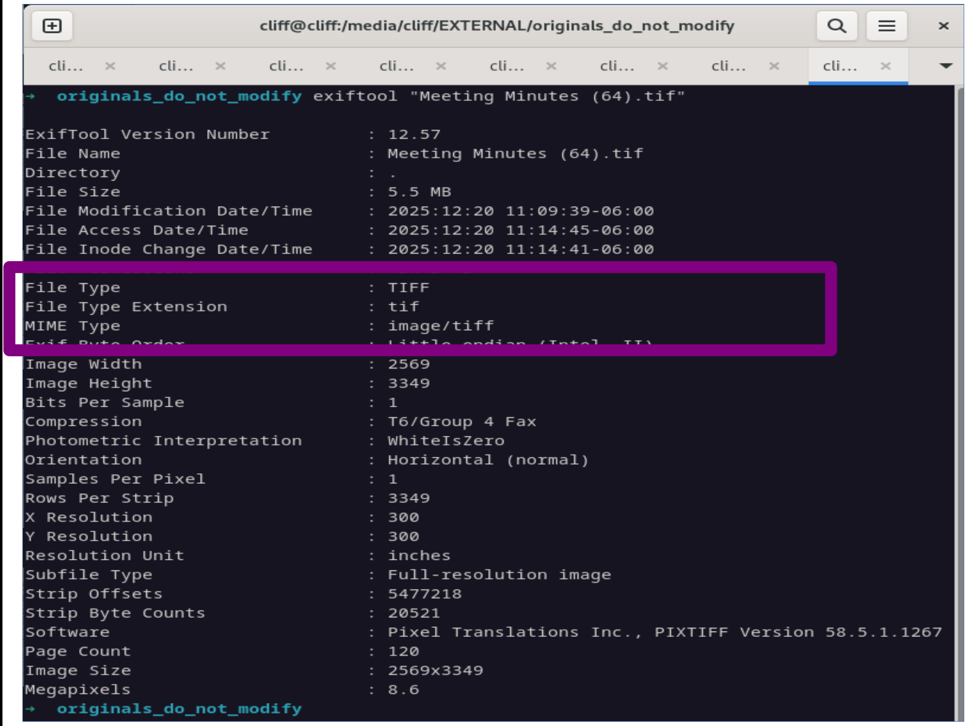
File Inode Change Date/Time     : 2025:12:20 10:54:49-06:00
File Type                       : PDF
File Type Extension             : pdf
MIME Type                       : application/pdf
Linearized                      : No
Page Count                      : 10
Create Date                     : 2025:12:08 11:43:23-06:00
Modify Date                     : 2025:12:08 11:43:23-06:00
Creator                         : PFU ScanSnap Home 2.21.0 #iX1500
Producer                        : PFUPDF Engine 1.3.21
→ originals_do_not_modify
```

## ING

n County executed minutes are preserved as a document file. Cass County meeting
s are preserved as an image file. Harrison County executed minutes are maintained
a document preservation workflow. Cass County meeting minutes are maintained within
ge transmission workflow. Document formats support record creation, storage, and
l. Image formats support routing, transmission, and visual reproduction.

mat indicates how a record is routed after creation.

CASS COUNY COMMISSIONER COURT



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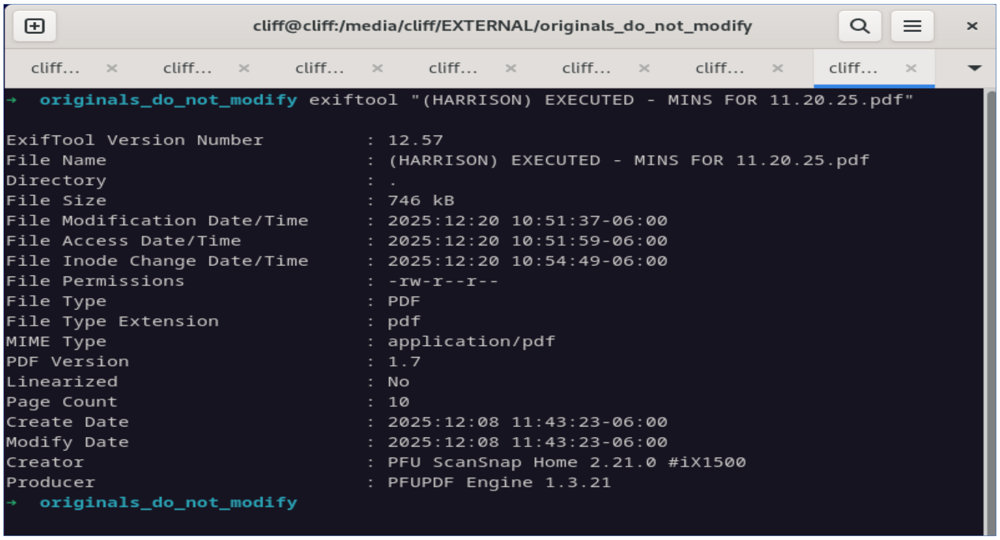
File Size                       : 5.5 MB
File Modification Date/Time     : 2025:12:20 11:09:39-06:00
File Access Date/Time           : 2025:12:20 11:14:45-06:00
File Inode Change Date/Time     : 2025:12:20 11:14:41-06:00
File Type                       : TIFF
File Type Extension             : tif
MIME Type                       : image/tiff
Exif Byte Order                 : Little-endian (Intel, II)
Image Width                     : 2569
Image Height                    : 3349
Bits Per Sample                 : 1
Compression                     : T6/Group 4 Fax
Photometric Interpretation      : WhiteIsZero
Orientation                     : Horizontal (normal)
Samples Per Pixel               : 1
Rows Per Strip                  : 3349
X Resolution                    : 300
Y Resolution                    : 300
Resolution Unit                 : inches
Subfile Type                    : Full-resolution image
Strip Offsets                   : 5477218
Strip Byte Counts               : 20521
Software                        : Pixel Translations Inc., PIXTIFF Version 58.5.1.1267
Page Count                      : 120
Image Size                      : 2569x3349
Megapixels                      : 8.6
→ originals_do_not_modify
```

DIX B.5 (3 of 3)

HARRISON COUNY COMMISSIONER COURT



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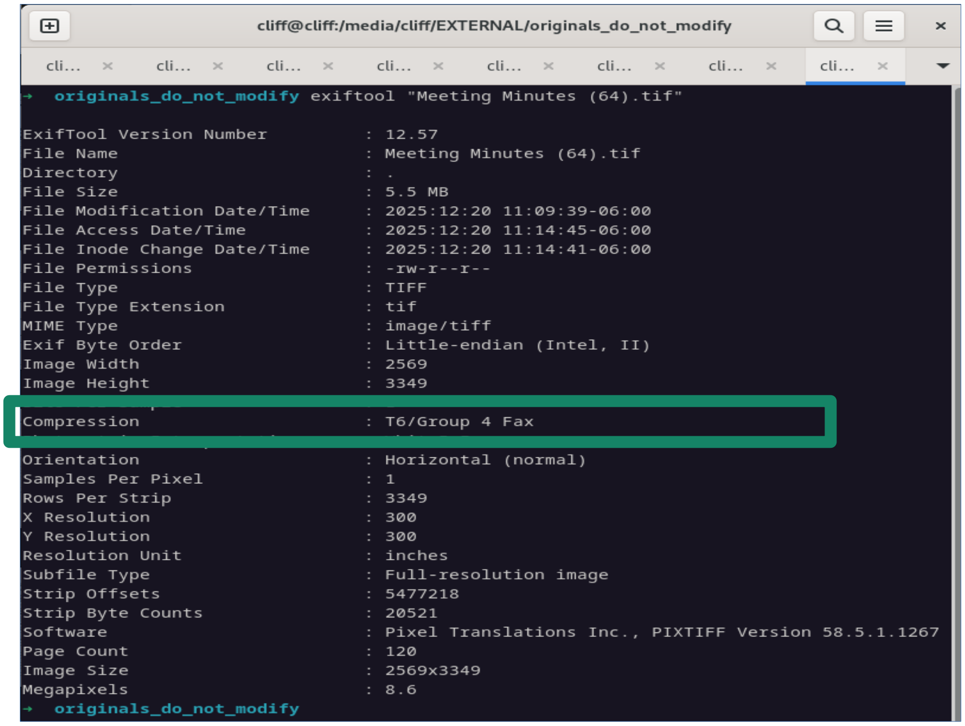
File Permissions                : -rw-r--r--
File Type                       : PDF
File Type Extension             : pdf
MIME Type                       : application/pdf
PDF Version                     : 1.7
Linearized                      : No
Page Count                      : 10
Create Date                     : 2025:12:08 11:43:23-06:00
Modify Date                     : 2025:12:08 11:43:23-06:00
Creator                         : PFU ScanSnap Home 2.21.0 #iX1500
Producer                        : PFUPDF Engine 1.3.21
→ originals_do_not_modify
```

## RESSION

n County executed minutes do not use transmission-grade compression. Cass County g minutes use **Group 4 Fax** compression. Document formats do not require compression rd preservation. Image transmission formats rely on compression to facilitate routing dling.

ession method reflects how a record is physically handled after creation.

CASS COUNY COMMISSIONER COURT



```
→ originals_do_not_modify exiftool "Meeting Minutes (64).tif"

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File Name                       : Meeting Minutes (64).tif
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File Size                       : 5.5 MB
File Modification Date/Time     : 2025:12:20 11:09:39-06:00
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File Inode Change Date/Time     : 2025:12:20 11:14:41-06:00
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File Type                       : TIFF
File Type Extension             : tif
MIME Type                       : image/tiff
Exif Byte Order                 : Little-endian (Intel, II)
Image Width                     : 2569
Image Height                    : 3349
Compression                     : T6/Group 4 Fax
Orientation                     : Horizontal (normal)
Samples Per Pixel               : 1
Rows Per Strip                  : 3349
X Resolution                    : 300
Y Resolution                    : 300
Resolution Unit                 : inches
Subfile Type                    : Full-resolution image
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Strip Byte Counts               : 20521
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Page Count                      : 120
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→ originals_do_not_modify
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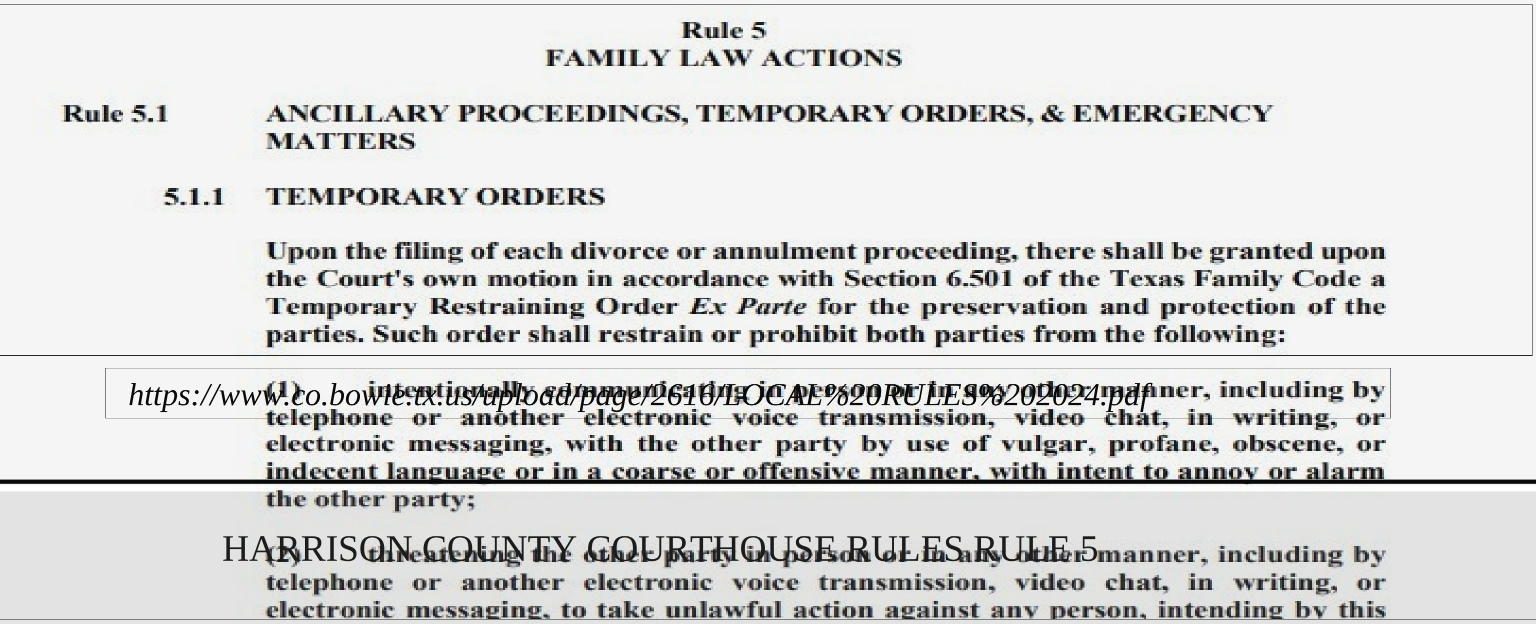
## BOWIE COUNTY COURTHOUSE RULES RULE 5



**Rule 5**
**FAMILY LAW ACTIONS**

**Rule 5.1 ANCILLARY PROCEEDINGS, TEMPORARY ORDERS, & EMERGENCY MATTERS**

**5.1.1 TEMPORARY ORDERS**

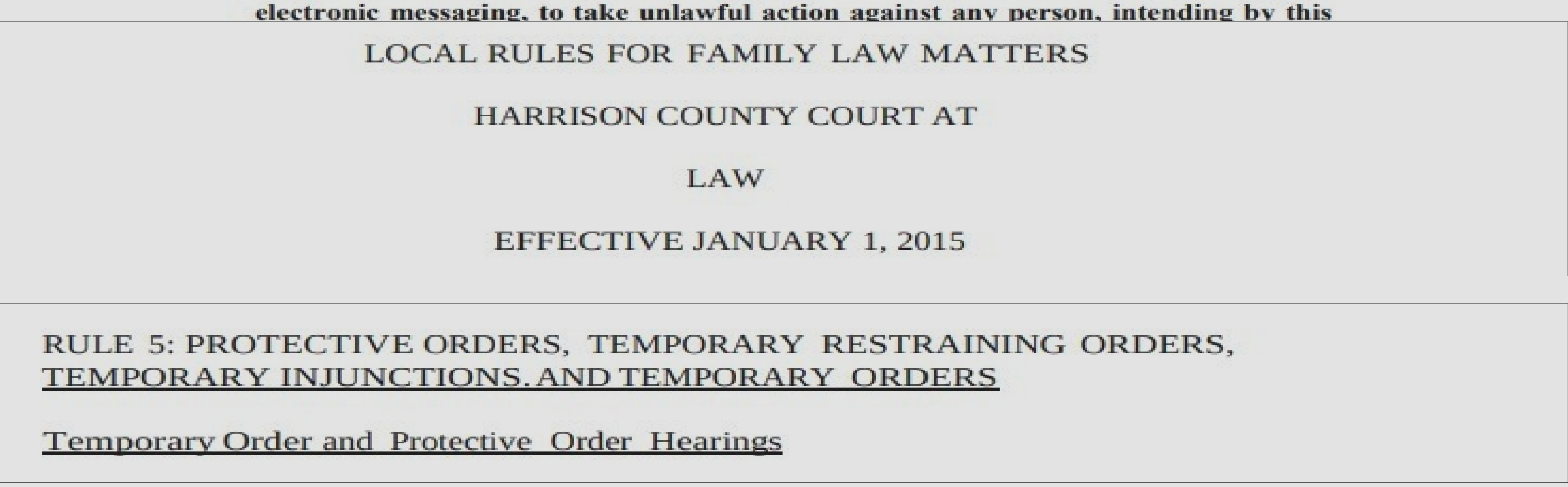
**Upon the filing of each divorce or annulment proceeding, there shall be granted upon the Court's own motion in accordance with Section 6.501 of the Texas Family Code a Temporary Restraining Order *Ex Parte* for the preservation and protection of the parties. Such order shall restrain or prohibit both parties from the following:**

**(1) intentionally communicating in person or in any other manner, including by telephone or another electronic voice transmission, video chat, in writing, or electronic messaging, with the other party by use of vulgar, profane, obscene, or indecent language or in a coarse or offensive manner, with intent to annoy or alarm the other party;**

**(2) threatening the other party in person or in any other manner, including by telephone or another electronic voice transmission, video chat, in writing, or electronic messaging, to take unlawful action against any person, intending by this**

*https://www.co.bowie.tx.us/upload/page/2616/LOCAL%20RULES%202024.pdf*

## HARRISON COUNTY COURTHOUSE RULES RULE 5



LOCAL RULES FOR FAMILY LAW MATTERS

HARRISON COUNTY COURT AT

LAW

EFFECTIVE JANUARY 1, 2015

RULE 5: PROTECTIVE ORDERS, TEMPORARY RESTRAINING ORDERS, TEMPORARY INJUNCTIONS. AND TEMPORARY ORDERS

Temporary Order and Protective Order Hearings

*//www.harrisoncountytexas.gov/upload/page/11887/2024/Local%20Rules._Harrison%20County%20CCL.pdf*

. County

ublished local court rules for Cass County could be located through publicly available ty websites or court resources or any other outlet at the time of this filing. Petitioner e direct inquiry to the Cass County District Court and Court Coordinator requesting a to any published local court rules. No response providing such rules has been received.

## C.2 – EMAIL EXCHANGE WITH COURT COORDINATOR KEISHA SHELLING (DISTRICT 5)

---

**OING**
ecember 20, 2025
Petitioner Stephens
isha Shelling, 5th District Court Coordinator, Cass County

*may I find the Local Rules for the Court in Cass County?*
*provide a link if you have one.*

*ephens*

---

**MING**
Keisha Shelling, 5th District Court Coordinator, Cass County
itioner
ecember 22, 2025

orning,

ounty does not have Local Rules. Please let me know if you have any other questions.

tfully,
Shelling

---

**OING**

ecember 22, 2025

anks for responding.

he mechanism an emergency matter is formally filed, acknowledged, and routed in Cass
?

ephens

---

**IING**
ecember 22, 2025

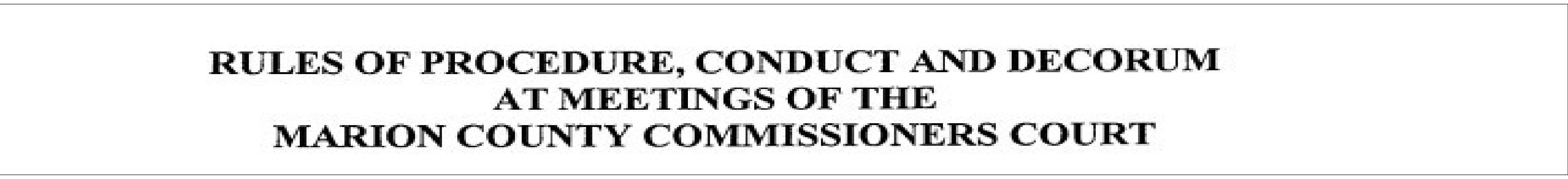
,

You must E-file your motion and order for the Judge's review. Once your order is routed to
District Judge, he will review it, and either sign your order or reject it. You may also contact me
der needs immediate attention, and I will bring it to the Judge's attention for immediate review. I
t answers your question. Thank you!!

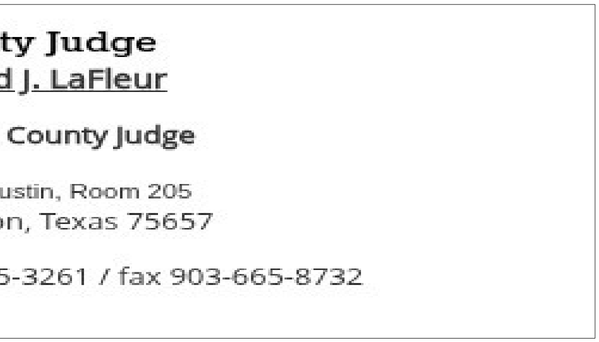
Shelling

## D.1 : DIRECT COUNTY COMPARISON ( MARION COUNTY )

MARION COUNTY COURTHOUSE
POPULATION (10,546)

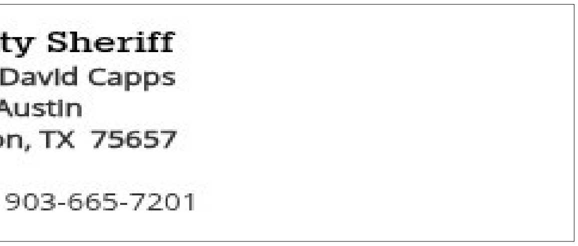


RULES OF PROCEDURE, CONDUCT AND DECORUM
AT MEETINGS OF THE
MARION COUNTY COMMISSIONERS COURT



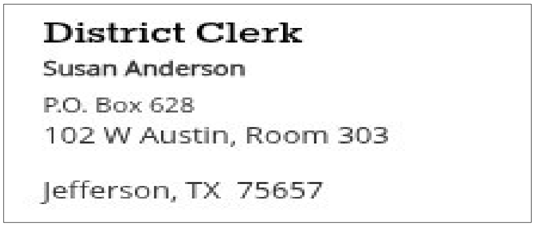
**ty Judge**
d J. LaFleur
County Judge
ustin, Room 205
on, Texas 75657
5-3261 / fax 903-665-8732

PHYSICAL LOCATION



**ty Sheriff**
David Capps
Austin
on, TX 75657
903-665-7201

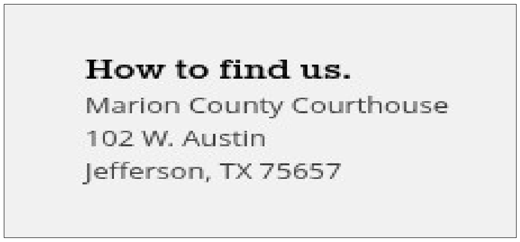
PHYSICAL OFFICE



**District Clerk**
Susan Anderson
P.O. Box 628
102 W Austin, Room 303

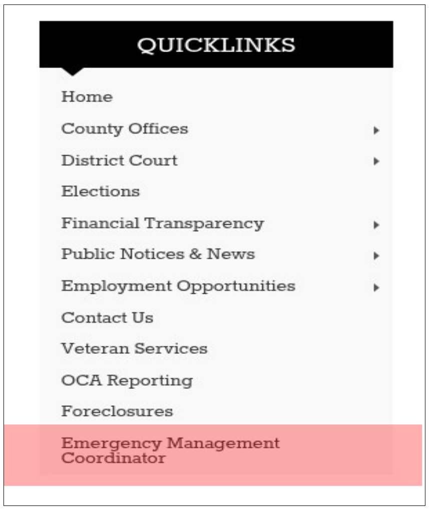
Jefferson, TX 75657

PHYSICAL LOCATION



**How to find us.**
Marion County Courthouse
102 W. Austin
Jefferson, TX 75657

COUNTY SEAT
PHYSICAL ADDRESS



QUICKLINKS
Home
County Offices ▸
District Court ▸
Elections
Financial Transparency ▸
Public Notices & News ▸
Employment Opportunities ▸
Contact Us
Veteran Services
OCA Reporting
Foreclosures
Emergency Management Coordinator

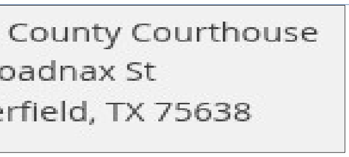
EMERGENCY
COORDINATION

https://www.co.marion.tx.us/

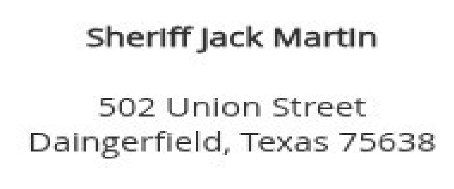
**lix D.2 : DIRECT COUNTY COMPARISON ( MORRIS COUNTY )**

MORRIS COUNTY COURTHOUSE

MORRIS COUNTY COURTHOUSE
POPULATION (12,000)

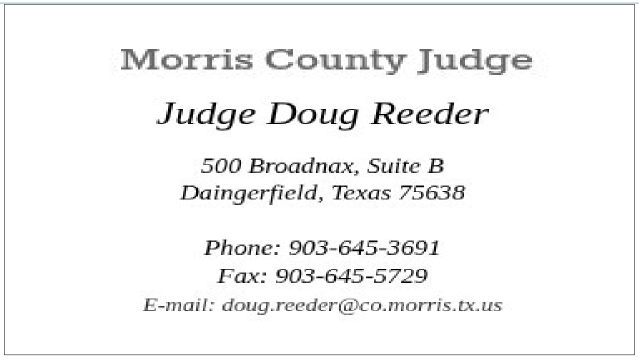

County Courthouse
oadnax St
erfield, TX 75638

OUNTY SEAT
CAL LOCATION


**Sheriff Jack Martin**

502 Union Street
Daingerfield, Texas 75638

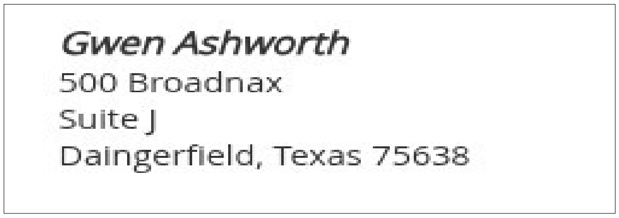
SHERIFFS OFFICE
PHYSICAL LOCATION


Morris County Judge
*Judge Doug Reeder*

*500 Broadnax, Suite B*
*Daingerfield, Texas 75638*

*Phone: 903-645-3691*
*Fax: 903-645-5729*
*E-mail: doug.reeder@co.morris.tx.us*

PHYSICAL LOCATION


*Gwen Ashworth*
500 Broadnax
Suite J
Daingerfield, Texas 75638

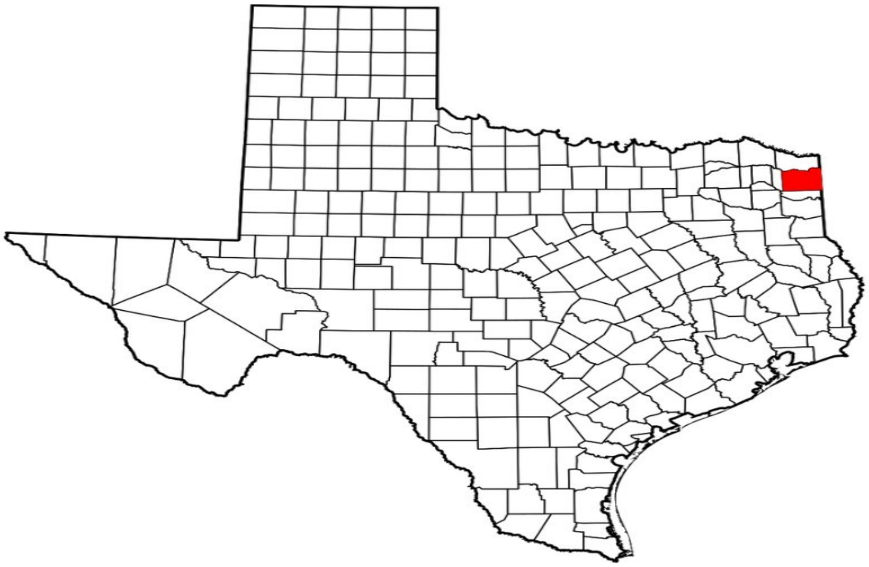
PHYSICAL LOCATION

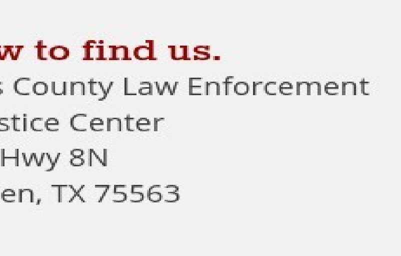
https://www.co.morris.tx.us/

## D.3 : DIRECT COUNTY COMPARISON ( CASS COUNTY )

CASS COUNTY COURTHOUSE

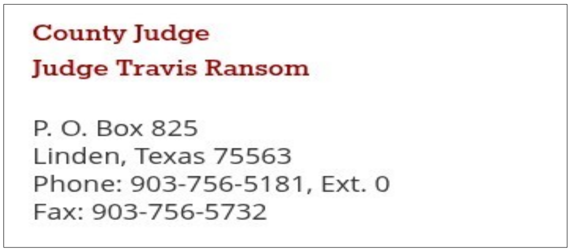
Population 28,000





**w to find us.**
s County Law Enforcement
stice Center
Hwy 8N
en, TX 75563

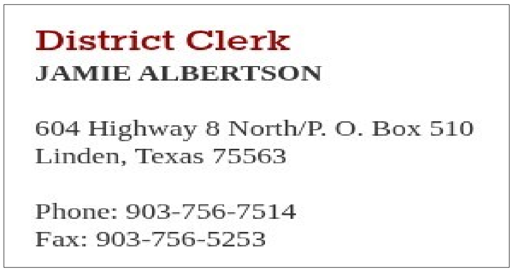
COUNTY SEAT?



**County Judge**
**Judge Travis Ransom**

P. O. Box 825
Linden, Texas 75563
Phone: 903-756-5181, Ext. 0
Fax: 903-756-5732

OFFICE LOCATION?

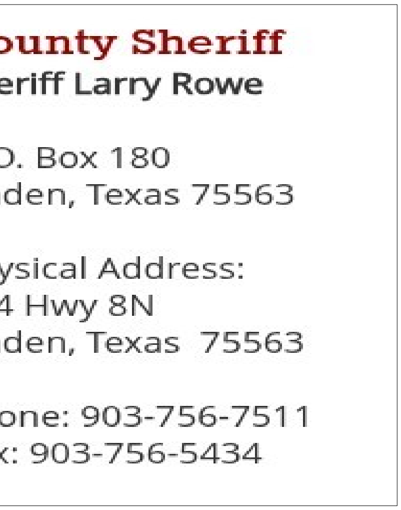


**District Clerk**
**JAMIE ALBERTSON**

604 Highway 8 North/P. O. Box 510
Linden, Texas 75563

Phone: 903-756-7514
Fax: 903-756-5253

OFFICE LOCATION?



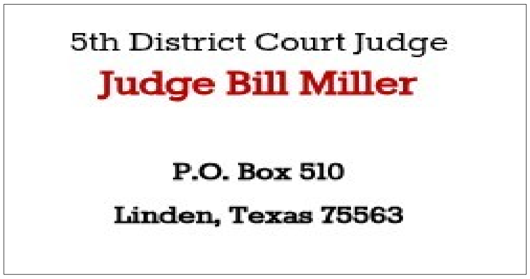
**ounty Sheriff**
**eriff Larry Rowe**

O. Box 180
den, Texas 75563

ysical Address:
4 Hwy 8N
den, Texas 75563

one: 903-756-7511
x: 903-756-5434

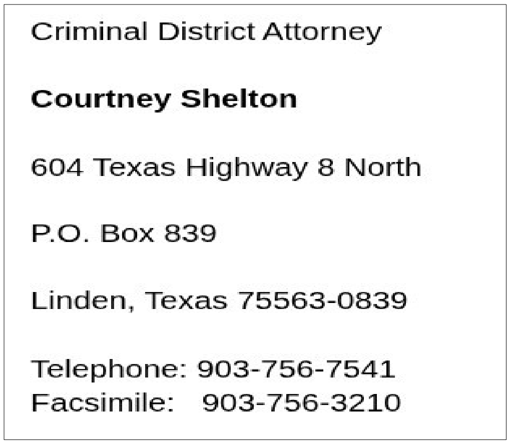
FFICE LOCATION?



5th District Court Judge
**Judge Bill Miller**

**P.O. Box 510**
**Linden, Texas 75563**

OFFICE LOCATION?



Criminal District Attorney

**Courtney Shelton**

604 Texas Highway 8 North

P.O. Box 839

Linden, Texas 75563-0839

Telephone: 903-756-7541
Facsimile: 903-756-3210

OFFICE LOCATION.

https://www.co.cass.tx.us/

## of Image Based Record Architecture

### y Effects

### y Effect 1: Oversight Indexing Failure

ersight systems rely on automated text analysis to observe court and county activity. When
are routed as images rather than documents, oversight platforms receive filings that can be
stored, and logged. Those filings cannot be examined. They cannot be indexed. They cannot be
d. Functions such as search and find return no results because the system does not recognize
e record appears present while remaining unreadable. Oversight authority exists. Oversight
y does not. Audit functions terminate at intake because no machine readable content is available
ew

### y Effect 2: Emergency Keyword Detection Failure

ncy management systems rely on keyword detection and text indexing to identify emergency
ns. These systems monitor incoming filings for specific terms associated with urgency and
on. Image based filings cannot be scanned for keywords. Text contained within images is not
o detection systems. Emergency indicators remain undetected. Escalation logic is not engaged.
se pathways remain inactive. The emergency does not register as an event within the system
no readable signal is present.

### y Effect 3: Temporal Observability Failure

ted oversight and emergency systems rely on time ordered records to evaluate compliance and
e. Text based documents preserve creation time, modification time, and publication time in a
that allows sequence to be reconstructed. Image based routing collapses these distinctions.
aphing and compressing records removes reliable temporal markers. Batch processing replaces
al publication events. Sequence becomes unobservable. Timing cannot be verified. Oversight
cannot determine when a record became available in readable form. Delay cannot be measured
observability across time does not exist. When oversight agencies receive records in this
n, no readable emergency event is visible to the system. The absence of response by the Texas
nent of Emergency Management, the Office of Court Administration, and the Texas Attorney
reflects absence of observable data rather than absence of filing. The emergency cannot be
oon because it cannot be seen.

**ary Effect: Single Point Failure**

ncy management systems do not vest authority in a single officer to determine urgency across em. Urgency is intended to be generated by architecture rather. In Cass County, standard e-filing no emergency state and no priority state. Filings submitted through that channel are routed into nty record processing system and converted into image files. Text content is flattened. *bility* is removed. Machine readability is lost. A filing capable of review at submission becomes ally inert after filing and routing in Cass county. In this environment, urgency exists only manual intervention. The Court Coordinator becomes the sole functional intake point capable rring attention by personal action. The statement that a filer may contact the coordinator for ate attention places urgency determination outside any formal emergency system. The ator functions as a single point through which emergency posture must pass. Availability outcome. Absence results in loss of urgency. No redundancy exists. No automatic escalation Emergency management initiation occurs at the county level. Direction to initiate emergency t the district level begins the process downstream of the proper intake point. Emergency posture ced by procedural posture. Standard judicial pathways activate. Procedural dismissal becomes e. The system operates as designed. Emergency status is never created.

### y Effect: Jurisdictional Non Attachment Resulting from Physical Misalignment of County ity

ures described in the primary and secondary effects culminate in a tertiary jurisdictional failure from physical misalignment of county authority. County officers operating outside the ionally designated courthouse location cannot generate emergency or judicial authority in a ble form. The absence of alignment prevents formation of judicial acts capable of appellate

ch 11 2025 the Commissioners Court designated the historic courthouse at 100 East Houston Linden Texas as the official location for county operations. The record reflects non execution of er. County officers continued operating from temporary or unsecured facilities. Emergency ment authority did not initiate from the county seat. No judicial or quasi judicial act emerged roper institutional posture.

overnment Code Section 418.1015 assigns emergency management authority to the county ctivation requires action taken within the designated institutional role. Operation outside the ted courthouse location prevents emergency initiation from producing a reviewable record. ty remains abstract and does not attach.

a reviewable judicial act filings enter the judicial system without emergency posture. The district cord contains no ruling no refusal and no certification of facts. Appellate review proceeds without or. Jurisdiction does not attach to the merits of the emergency condition.

hose conditions the Sixth Court of Appeals resolved the matter through jurisdictional analysis exas Government Code Section 22.221. The court acknowledged the requested relief and stated ws

> tion Stephens asks this Court to order Respondents to take immediate and affirmative steps to rmed security at the Cass County Courthouse in full compliance with Texas Government Code 29.006 and Senate Bill 42. We deny Stephens requested relief.”
>
> Scott E. Stevens
>
> Chief Justice
>
> 06-25-00072-CV (August 14, 2025)

No. 25-40804

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# In The United States Court Of Appeals

# For The Fifth Circuit

**In RE: CLIFF STEPHENS, Petitioner**

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## MOTION TO WITHDRAW PETITION FOR WRIT OF MANDAMUS

Petitioner respectfully moves to voluntarily dismiss the Petition for Writ of Mandamus filed in Case No. 25-40804.

Petitioner no longer seeks relief through this extraordinary writ and requests dismissal of the proceeding

Respectfully submitted,
/s/ Cliff Stephens
February 22 , 2026